Central Conference of American Rabbis

YEARBOOK
VOLUME XXV
CHARLEVOIX, MICH.
1915

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CENTRAL CONFERENCE OF AMERICAN RABBIS

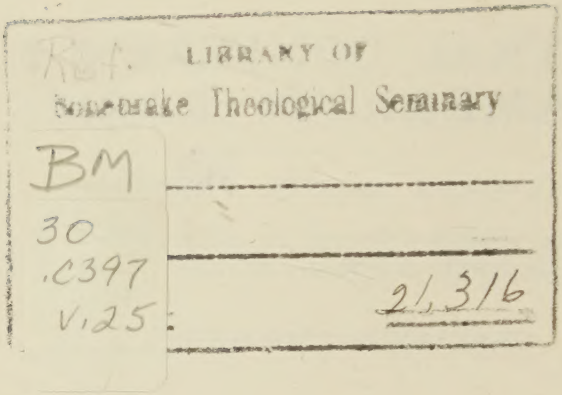
TWENTY-SIXTH ANNUAL CONVENTION

JUNE TWENTY-NINTH TO JULY SIXTH
NINETEEN HUNDRED AND FIFTEEN

CHARLEVOIX, MICHIGAN

VOLUME XXV

EDITED BY RABBI ISAAC E. MARCUSON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1914-1915

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Texas—Cohen, Henry
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W. Virginia—Bettan, Israel
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Mendoza, Louis D.
Moses, Isaac S.
Philo, Isador E.
Raisin, Jacob S.
Rosenthal, Isidore
Wintner, Leopold
Warsaw, Isidore
Zielonka, Martin

Contemporaneous History

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Heller, Max
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Lovitch, Meyer
Reichler, Max
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Englander, Henry

Co-operation with National Organizations

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Philipson, David
Schulman, Samuel
Silverman, Joseph
Stolz, Joseph

Descriptive Catalog

Zepin, George, *Chairman*
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Ettelson, Harry W.
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Lefkowitz, David
Mannheimer, Eugene
Rauch, Joseph
Solomon, George

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Zepin, George

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Rosenau, William

Jews of Other Lands—Special Commission

Krauskopf, Joseph, *Chairman*
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Grossmann, Louis
Kaplan, Bernard M.
Lauterbach, Jacob Z.
Magnes, Judah L.
Neumark, David
Rosenau, William
Schwarz, Jacob D.
Zielonka, Martin

Minister's Handbook

Rosenau, William, *Chairman*
Berkowitz, Henry
Blau, Joel
Bogen, Joseph
Calisch, Edward N.
Frisch, Ephraim
Grossmann, Rudolph
Klein, Jacob
Levy, David
Levy, J. Leonard
Lyons, Alexander
Miller, Julian H.
Noot, M.

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Kohler, Kaufman
Philipson, David
Schulman, Samuel

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Frisch, Ephraim
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Marcuson, Isaac E.

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Deinard, Samuel N.
Marcuson, Isaac E.
Philipson, David
Silverman, Joseph

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Isaacs, Abram S.
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Merritt, Max J.

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Freund, Charles J.
Grossmann, Rudolph
Kaplan, Bernard M.
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Meyer, Martin A.
Miller, Julian H.
Rosenbaum, David
Rubenstein, Charles A.
Rypins, Isaac L.
Silber, Mendel
Tedesche, Sidney S.

Resolutions of Conference

Englander, Henry, *Chairman*
Morgenstern, Julian
Philipson, David

Responsa

Kohler, Kaufman, *Chairman*
Deutsch, Gotthard
Krauskopf, Joseph
Landsberg, Max
Lauterbach, Jacob Z.
Rauch, Joseph
Sale, Samuel
Willner, Wolff
Wolfenstein, Samuel

Revision of Union Prayer Book

Philipson, David, *Chairman*
Enelow, Hyman G.
Englander, Henry
Harris, Maurice H.
Harrison, Leon
Heller, Max
Kohler, Kaufman
Morgenstern, Julian
Moses, Isaac S.
Rosenau, William
Schulman, Samuel
Stolz, Joseph

Sermonic Literature

Hirshberg, Samuel, *Chairman*
Bottigheimer, Seymour G.
Cohn, Frederick
Kohut, George A.
Kopald, Louis J.
Messing, Aaron J.
Messing, Mayer
Moses, Alfred G.
Raisin, Max
Weinstein, Aaron L.

Social and Religious Union

Levy, J. Leonard, *Chairman*
Cohen, Montague N. A.
Frisch, Ephraim
Goldstein, Sidney E.
Greenburg, William H.
Rappaport, Julius
Reichler, Max
Tintner, Benjamin A.
Weiss, Harry
Wolf, Horace J.
Witt, Louis

Social Justice—Special Commission

Foster, Solomon, *Chairman*
Cohen, Henry
Coffee, Rudolph I.
Enelow, Hyman G.
Goldenson, Samuel H.
Heller, Max
Levy, J. Leonard
Philipson, David
Schulman, Samuel
Wise, Stephen S.

Solicitation of Funds

Feuerlicht, Morris M., *Chairman*
Franklin, Leo M.
Gries, Moses J.
Heller, Max
Kornfeld, Joseph S.
Krauskopf, Joseph
Levy, J. Leonard
Philipson, David
Schulman, Samuel
Silverman, Joseph
Stolz, Joseph
Wise, Stephen S.

Summer Services

Schanfarber, Tobias, *Chairman*
Egelson, Louis I.
Fox, G. George
Gross, Louis D.
Joseph, Theo. F.
Kory, Sol. L.
Levy, David
Mannheimer, Leo
Mayer, Eli
Newfield, Morris
Newman, Julius
Rosenthal, Frank L.
Rothstein, Leonard J.
Schwarz, Jacob D.
Sessler, M.
Solomon, Michael G.
Spiegel, Adolph
Stolz, Joseph Henry
Weinstein, Aaron L.
Zepin, George

Survey of Jewish Religious Conditions—Special Commission

Enelow, Hyman G., *Chairman*
Berkowitz, Henry
Friedlander, M.
Heller, Max
Landman, Isaac
Lefkovits, Maurice
Sale, Samuel
Stolz, Joseph
Wise, Jonah B.
Zepin, George

Synagog Music

Mayer, Harry H., *Chairman*
Barnstein, Henry
Ettelson, Harry W.
Loewenberg, William
Marx, David
Sadler, Bernard
Silberfeld, Julius
Singer, Jacob
Stern, Nathan
Wolsey, Louis

SYNAGOG AND SOCIAL SERVICE DEPARTMENT

(a) *Synagog and Industrial Relations*

Foster, Solomon, *Chairman*
Cohen, Henry
Coffee, Rudolph I.
Enelow, Hyman G.
Goldenson, Samuel H.
Heller, Max
Levy, J. Leonard
Philipson, David
Schulman, Samuel
Wise, Stephen S.

(b) *Dependents, Defectives and Delinquents*

Bernstein, Louis, *Chairman*
Blum, A.
Currick, Max C.
Drucker, Aaron P.
Elzas, Barnett A.
Feuerlicht, Jacob
Hirschberg, Abram
Krass, Nathan
Leipziger, Emil W.
Liknaitz, David L.
Lowenstein, Solomon C.
Mielziner, Jacob
Peiser, Simon.
Salzman, Marcus
Yudelson, Albert B.
Volmer, Leon

Systematic Jewish Theology

Schulman, Samuel, *Chairman*
Kohler, Kaufman
Krauskopf, Joseph
Philipson, David

Tracts

Heller, Max, *Chairman*
Englander, Henry
Guttmacher, Adolf
Morgenstern, Julian
Zepin, George

TEMPORARY COMMITTEES OF THE CHARLEVOIX CONVENTION

President's Message

Rosenau, William, *Chairman*
Bernstein, Louis
Enelow, Hyman G.
Franklin, Leo M.
Grossmann, Louis
Heller, Max
Landman, Isaac
Lauterbach, Jacob Z.
Morgenstern, Julian
Philipson, David
Rauch, Joseph
Schulman, Samuel
Simon, Abram
Stolz, Joseph
Wolsey, Louis

Resolutions

Levi, Charles S., *Chairman*
Bettan, Israel
Blau, Joel
Coffee, Rudolph I.
Feinschreiber, William H.
Feuerlicht, Morris M.
Foster, Solomon
Kaplan, Jacob H.
Kornfeld, Joseph S.
Kory, Sol L.
Lefkovits, Maurice
Leipziger, Emil W.
Mayer, Harry H.
Newfield, Morris
Rubenstein, Charles A.
Schwartz, Samuel
Zepin, George

Memorial Resolutions

Deutsch, Gotthard, *Chairman*
Braun, Frederick
Freund, Charles J.
Kopald, Louis J.
Levinger, Lee J.
Mazure, Maurice M.
Merritt, Max J.
Rasinsky, Marius
Rypins, Isaac L.
Stern, Nathan
Weinstein, Aaron L.

Auditing

Marcuson, Isaac E., *Chairman*
Egelson, Louis I.
Rosenbaum, David
Tedesche, Sidney S.

Bernhard Bettmann Memorial Resolutions

Stolz, Joseph, *Chairman*
Buttenwieser, Moses
Deutsch, Gotthard
Freehof, Solomon B.
Gries, Moses J.
Grossmann, Louis
Heller, Max
Lauterbach, Jacob Z.
Morgenstern, Julian
Philipson, David
Schulman, Samuel

Nominations

Hirshberg, Samuel, *Chairman*
Bottigheimer, Seymour G.
Deinard Samuel N.
Lefkowitz, David
Levy, Felix A.
Rappaport, Julius
Rothstein, Leonard J.
Witt, Louis
Wolf, Horace J.

Press

Zielonka, Martin, *Chairman*
Bettan, Israel
Freehof, Solomon B.
Kory, Sol L.
Lauterbach, Jacob Z.
Rosenbaum, David
Rothstein, Louis J.
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Weinstein, Aaron L.
Wolf, Horace J.

Special Committee on Contemporaneous History

Deutsch, Gotthard, *Chairman*
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Heller, Max
Landman, Isaac
Lovitch, Meyer
Schulman, Samuel

Special Committee on Publications

Levi, Charles S., *Chairman*
Fichman, David
Morgenstern, Julian
Schwartz, Samuel
Stolz, Joseph

Special Committee on Falashas

Lauterbach, Jacob Z., *Chairman*
Deutsch, Gotthard
Grossmann, Louis
Mayer, Harry H.
Rosenau, William
Schulman, Samuel
Zielonka, Martin

PROGRAM

TUESDAY EVENING, JUNE 29TH

Opening Prayer—Rabbi Emil W. Leipziger.
Evening Service—Rabbi Morris Newfield.
President's Message—Rabbi Moses J. Gries.
Memorial Resolutions:
Rabbi Adolf Guttmacher—Rabbi Tobias Schanfarber.
Rabbi Abraham R. Levy—Rabbi Julius Rappaport.
Kaddish and Benediction—Rabbi Gotthard Deutsch.

WEDNESDAY MORNING, JUNE 30TH

Opening Prayer—Rabbi Sol L. Kory.
Roll Call.
Reports:
President—Rabbi Moses J. Gries.
Recording Secretary—Rabbi Morris M. Feuerlicht.
Corresponding Secretary—Rabbi Joseph S. Kornfeld.
Treasurer—Rabbi Leo M. Franklin.
Solicitation Committee—Rabbi Morris M. Feuerlicht.
Relief Fund—Rabbi Joseph Stolz.
Investment Committee—Rabbi Leo M. Franklin.
Editor of Yearbook—Rabbi Julian Morgenstern.
Finance Committee—Rabbi Joseph S. Kornfeld.
Publications Committee—Rabbi Julian Morgenstern.
Arbitration Committee—Rabbi Sigmund Hecht.
Curators of Archives—Rabbi Julian Morgenstern.
Contemporaneous History—Rabbi Gotthard Deutsch.

WEDNESDAY EVENING

Round Table: Problems and Policies of the Conference—Rabbi Moses J. Gries.

RELIGIOUS EDUCATION DAY

THURSDAY MORNING, JULY 1ST

Opening Prayer—Rabbi Leonard J. Rothstein.
Report: Religious Education Committee—Rabbi Abram Simon.
Paper: The Foundations of Israel's History—Rabbi Julian Morgenstern.

THURSDAY AFTERNOON

Report: Descriptive Catalog—Rabbi George Zepin.
Symposium: Character-building—
(a) Character-building and Jewish History—Rabbi Julius Rappaport.
(b) Character-building and Ethics—Professor Moses Buttenwieser.

THURSDAY EVENING

Symposium: Character-building (Continued)—
(c) Character-building and the Study of Hebrew—Rabbi Samuel N. Deinard.
(d) Character-building and the Home—Rabbi Charles J. Freund.
(e) Character-building and Child Worship—Rabbi Horace J. Wolf.
(f) Character-building and the Personality of the Teacher—Rabbi Charles S. Levi.
(g) Character-building and the Physical and Social Apparatus of the Religious School—Rabbi Isaac L. Rypins.

FRIDAY MORNING, JULY 2ND

Opening Prayer—Rabbi Meyer Lovitch.
Presentation of Resolutions.
Report: Special Committee on Local Teachers' Colleges—Rabbi Ephraim Frisch.
Papers: Harmonization of Jewish and Civil Laws of Marriage and Divorce—
I. Rabbi Kaufman Kohler.
II. Rabbi Abram Simon.

FRIDAY EVENING

Sabbath Evening Service—Rabbi Louis Witt.
Conference Lecture—Rabbi David Lefkowitz.
Benediction—Rabbi Maurice H. Harris.

SATURDAY MORNING, JULY 3RD

Sabbath Service—Rabbi Seymour G. Bottigheimer.
Reading from the Torah—Rabbi Louis Wolsey.
Conference Sermon—Rabbi Charles A. Rubenstein.
Benediction—Rabbi Rudolph I. Coffee.

SUNDAY MORNING, JULY 4TH

Opening Prayer—Rabbi Louis I. Egelson
Report: Minister's Handbook—Rabbi William Rosenau.
Centenaries:
Samuel Hirsch—Rabbi Maurice Lefkovits.
Max Lilienthal—Rabbi David Philipson.
Reports:
Responsa—Rabbi Kaufman Kohler.
Sermonic Literature—Rabbi Samuel Hirshberg.

SUNDAY AFTERNOON

Reports:
Special Committee on Bernhard Bettmann Memorial Resolutions—Rabbi Joseph Stolz.
Tracts—Rabbi Max Heller.
Summer Services—Rabbi Tobias Schanfarber.
Revision of Union Prayer Book—Rabbi David Philipson.
Synagog Music—Rabbi Harry H. Mayer.
Special Committee on Memorial Resolutions—Rabbi Gotthard Deutsch.
Special Committee on Falashas—Rabbi Jacob Z. Lauterbach.

SUNDAY EVENING

Opening Prayer—Rabbi Aaron L. Weinstein.

DEPARTMENT OF SYNAGOG AND SOCIAL SERVICE.

Report: Dependents, Defectives and Delinquents—Rabbi Louis Bernstein.
Paper: Judaism and Social Justice, Historically Considered—Rabbi Abraham Cronbach.
Report: Commission on Social Justice—Rabbi Solomon Foster.

MONDAY MORNING, JULY 5TH

Opening Prayer—Rabbi Felix A. Levy.
Reports:
Systematic Jewish Theology—Rabbi Samuel Schulman.
Resolutions of the Conference—Rabbi Henry Englander.
Religious Work in Universities—Rabbi Leo M. Franklin.
Review:
Elbogen's "Der juedische Gottesdienst in seiner geschichtlichen Entwicklung"—Rabbi Jacob H. Kaplan.

MONDAY AFTERNOON

Reports:
Commission on Jews of Other Lands—Rabbi Joseph Krauskopf.
Commission on Survey of Jewish Religious Conditions—Rabbi Hyman G. Enelow.
Auditing Committee—Rabbi Isaac E. Marcuson.
Special Committee on Publications—Rabbi Charles S. Levi.

MONDAY EVENING

Report: Committee on Church and State—Rabbi David Lefkowitz.
Round Table: Bible Reading in Public Schools—Rabbi Samuel Schulman.

TUESDAY MORNING, JULY 6TH

Opening Prayer—Rabbi Lee J. Levinger.
Reports:
Committee on President's Message—Rabbi William Rosenau.
Committee on Resolutions—Rabbi Charles S. Levi.
Committee on Co-operation with National Organizations—Rabbi Moses J. Gries.
Amendments.
Report of Nominating Committee.
Election of Officers.
Closing Prayer and Benediction—Rabbi Joseph Stolz.

PROCEEDINGS

The Twenty-Sixth Annual Convention of the Central Conference of American Rabbis was called to order in the Assembly Hall of The Inn, at Charlevoix, Mich., on Tuesday, June 29, 1915, at 8:15 p.m., with the President, Rabbi Moses J. Gries, in the Chair.

The opening prayer was delivered by Rabbi Emil W. Leipziger.

The evening service was read from the Union Prayer Book, by Rabbi Morris Newfield.

The annual message of the President was read (Appendix A), and, upon motion, was referred to the Committee on President's Message, to be appointed during the convention.

Memorial resolutions in honor of Rabbi Adolf Guttmacher, prepared by Rabbi Tobias Schanfarber, were, in his absence, read by Rabbi Samuel Hirshberg, and resolutions, in memory of Rabbi Abraham R. Levy, prepared by Rabbi Julius Rappaport, were read by Rabbi Joseph Stolz. (Appendix D.) These resolutions were adopted by a rising vote.

Kaddish was recited by all the members of the Conference, in memory of their departed colleagues.

The President announced that a message had been received from Rabbi Stephen S. Wise, stating that, on account of illness in his family, he would be not able to reach the convention until later in the session and asking that, if possible, the round table which he was to lead be put later in the session. It was agreed that the round table be postponed until Monday evening, so as to give Rabbi Wise the opportunity of leading the discussion.

The benediction was pronounced by Rabbi Gotthard Deutsch.

WEDNESDAY MORNING, JUNE 30, 1915

The Conference convened in the Assembly Hall, the President, Rabbi Moses J. Gries, in the Chair.

The opening prayer was delivered by Rabbi Sol L. Kory. To the roll call, the following sixty-six members answered present during the course of the convention:

Bernstein, Louis
Bettan, Israel
Blau, Joel
Bottigheimer, Seymour G.
Braun, Frederick
Buttenwieser, Moses
Coffee, Rudolph I.
Cronbach, Abraham
Deinard, Samuel N.
Deutsch, Gotthard
Egelson, Louis I.
Enelow, Hyman G.
Feuerlicht, Morris M.
Fichman, David
Fineshriber, Wm. H.
Foster, Solomon
Franklin, Leo M.
Freehof, Solomon B.
Freund, Chas. J.
Gries, Moses J.
Grossmann, Louis
Grossmann, Rudolph
Harris, Maurice H.
Heller, Maximilian
Hirshberg, Samuel
Kaplan, Jacob H.
Kopald, Louis J.
Kornfeld, Joseph S.
Kory, Sol L.
Landman, Isaac
Lauterbach, Jacob Z.
Lefkovits, Maurice
Lefkowitz, David
Leipziger, Emil W.
Levi, Chas. S.
Levinger, Lee J.
Levy, Felix A.
Lovitch, Meyer
Marcuson, Isaac E.
Mayer, Harry H.
Mazure, Maurice M.
Merritt, Max J.
Morgenstern, Julian
Newfield, Morris
Philipson, David
Rappaport, Julius
Rasinsky, Marius
Rauch, Joseph
Rice, William
Rosenau, William
Rosenbaum, David
Rothstein, Leonard J.
Rubenstein, Charles A.
Rypins, Isaac L.
Schulman, Samuel
Schwartz, Samuel
Simon, Abram
Stern, Nathan
Stolz, Joseph
Tedesche, Sidney S.
Weinstein, Aaron L.
Witt, Louis
Wolf, Horace J.
Wolsey, Louis
Zepin, George
Zielonka, Martin

Greetings and congratulations were read from Mr. Claude G. Montefiore, of London, England, honorary member of the

Conference, and from the following members: Rabbis Henry Cohen, Henry Englander, Jacob Feuerlicht, Ephraim Frisch, Abram Hirschberg, Abram S. Isaacs, J. Leonard Levy, Isidore Lewinthal, David Marx, Marcus Salzman, M. Sessler, Tobias Schanfarber, Stephen S. Wise, Samuel Wolfenstein.

The report of the President, Rabbi Moses J. Gries, was then read:

REPORT OF THE PRESIDENT

To the Central Conference of American Rabbis,

GENTLEMEN: The President desires to make formal report of official action concerning the business of the Conference during the past year.

Upon the authorization of the Executive Board, the President, with the two members of the Executive Board resident in New York City, attended, as delegates, the General Committee meeting, called to organize the American Jewish Relief Committee.

Under authority of the Executive Board, the President appointed President Gries, Vice President Rosenau and Rabbis Berkowitz, Franklin and Philipson, as a committee to meet in conference with the representatives of the Anti-Defamation League, to consider certain questions of policy with reference to Jewish work in universities.

With the approval of the Executive Board, it was decided not to employ an expert accountant, but to arrange for the auditing of the accounts of our financial officers, the records of the sales agent of the Conference, of the printers of our prayer books and hymn books, and of the Publications Committee, through a special Auditing Committee, appointed in advance of the Conference. Our colleague, Rabbi Isaac E. Marcuson, has kindly consented to undertake this labor.

The Executive Board has endorsed the continuance of the plan adopted last year, of appointing a special Yearbook Editor. Rabbi Isaac E. Marcuson has been assigned this important task, with a compensation not to exceed two hundred and fifty dollars and editorial expenses.

I take this occasion to express my personal appreciation of the unusually conscientious and painstaking endeavors of the editor of the Yearbook for 1914, Rabbi Julian Morgenstern, to produce a model Yearbook, with a true and adequate report of the work of the Conference. The thanks of the Conference are likewise due to Rabbi Morgenstern for his very careful study and faithful service in the reorganization and management of our publication business. During the year the contract with our sales agent, The Bloch Publishing Company, of New York City, has been renewed on conditions and terms more favorable to the Conference than those of the previous contract.

By the special request of the Executive Board, the President was requested to act as Chairman of the Committee on Church and State,

reorganized with a representative in every state. Rabbi David Lefkowitz has kindly consented to act as Secretary in the drafting of the formal report to this convention of the Committee on Church and State.

Your President desires to renew most urgently the suggestion that the Executive Board be empowered to secure, if possible, a paid Secretary, who might undertake the duties of the Recording and Corresponding Secretaries, and the Editorship of the Yearbook, and who should, by continuance in office, master thoroughly the business of the Conference. A paid Secretary, not changing with every administration, would eliminate inevitable confusion and delay, would guide, inspire and organize the labors of the many Conference Committees and Commissions, and would make for more intelligent and more efficient administration of all the important work of the Conference.

Respectfully submitted,

MOSES J. GRIES, *President.*

The report was received and referred to the Committee on President's Message, to be appointed during the session.

The report of the Recording Secretary, Rabbi Morris K. Feuerlicht, was read:

REPORT OF THE RECORDING SECRETARY

To the Central Conference of American Rabbis,

GENTLEMEN: Since the last convention, held in Detroit, June 30 to July 7, 1914, the Executive Board of the Conference held four meetings: Detroit, July 7, 1914; Cincinnati, October 27-28, 1914; Chicago, January 18-20, 1915, and Charlevoix, June 29, 1915. Besides the necessary routine work and consideration of matters referred to the various Standing Committees to be reported on specifically at this convention, the business of the Executive Board may be summarized as follows:

The Publications Committee was instructed to obtain new bids on all publications of the Conference.

A one-page summary of the Yearbook to be drafted annually for the press was ordered. In order to reduce, if possible, the size and consequent cost of the Yearbook, it was decided that hereafter papers, reviews, Committee reports, and other material, shall be printed only within the limits assigned.

Rabbi Isaac E. Marcuson was appointed Editor of the Yearbook for the coming year.

It was ordered that the Yearbook be copyrighted and that hereafter the President be empowered to allow the reprinting of papers in other publications, at his discretion.

A special committee was appointed to carefully frame the specific work of the various Conference Committees.

It was unanimously voted that the Chairmanship of the Committee on Church and State should be assigned to Rabbi Gries, President of the Conference. The distribution of Conference calendars was entrusted to the representatives of this Committee in the several states.

Final details for the publication and marketing of the new Hymnal were arranged, and the action of the Detroit convention, in appreciation of the work of the Hymnal Committee, was duly carried out.

The appreciation of the Executive Board was also voted to the President, Rabbi Gries, and to Rabbi Morgenstern for diligent and efficient work done in connection with the Hymnal and Publications Committees' duties.

The suggestion that all insurance be contracted for in the corporate name of the Conference was adopted.

In considering the recommendations of the Tract Committee at the Detroit convention, it was voted, as the sense of the Executive Board, that the Conference co-operate hereafter with the Union of American Hebrew Congregations in the publication and distribution of tracts; that the work be carried on by a Tract Commission, not necessarily to be composed of rabbis or members of the Conference exclusively, but that the distinctive editorial part of the Commission's work be entrusted to the Conference members of the Commission. This action of the Executive Board was duly communicated to the officers of the Union of American Hebrew Congregations as the official action of the Conference. In view of the action of the Union, at its biennial meeting in January, 1915, creating the new Tract and Relief Commissions, the Conference Tract Committee was invested with continued power to act, but not finally, until instructed by the Conference.

The matter of the preparation of tracts on "Church and State" and "Israel's Mission is Peace," referred by the last Convention to the Executive Board was referred in turn to the new Tract Commission; also the immediate reprinting of Tracts I and II.

Concerning the advisability of the Solicitation Committee making further appeals for the Conference Tract Fund, either with or without the co-operation of the Union, it was the sense of the Executive Board that the matter be left to the discretion of the joint Tract Commission.

Similarly, the matter of an appeal for the Superannuated Ministers' Fund, was left to the discretion of the joint Relief Commission.

On recommendation of the Investment Committee, the investments of the Conference were allowed to stand.

In the matter of distribution of funds, it was decided that for the present, the interest on the Relief Fund be devoted to the Relief Fund exclusively; other interest to the various funds, in due proportion, until otherwise ordered.

Four thousand copies of Rabbi David Philipson's paper on "The Achievements of the Conference," were ordered reprinted; one thousand, together with a like number of Rabbi Heller's paper, to be placed in the libraries of the country; the remaining three thousand to be sent out with the appeal of the Solicitation Committee.

The following action was taken on resolutions and recommendations contained in reports presented to the Detroit convention and referred to the Executive Board:

Formal recognition of events and anniversaries suggested in the report of the Committee on Contemporaneous History was duly taken, and notice thereof forwarded to the various persons interested. The recommendation of this Committee concerning Corresponding Members was referred to a special committee and is to be acted on at this convention in the form of an amendment to the Constitution. With reference to the recommendation on the history of congregations, it was voted that members of the Conference be asked to send such printed records of their congregations as they may have, to the library of the Hebrew Union College and to the American Jewish Historical Society.

No action was taken on the recommendations of the Committee on Religious Work in Universities, as it was deemed best to permit the present plan of the Committee to work itself out. The suggestion in the supplementary report to establish Jewish centers at universities was referred back to the Committee.

On the resolution, favoring the establishment of an Hebrew Union College Lectureship, it was decided that a Special Committee on Ways and Means be appointed to consider the matter further, and that this Committee be informed that it is the sense of the Executive Board that the Lectureship be established only on condition that it be done through a permanent fund, and that the selection of lecturer and subject be left to the Faculty of the Hebrew Union College. The Committee appointed to consider the original resolution at the Detroit convention was made the Special Committee.

Consideration of the question of the further publication and sale of the separate Sabbath service pending the revision of the Prayer Book was left to the convention.

On the recommendation of the Auditing Committee, it was decided that the matter of auditing each year be cared for by the Executive Officers, and that notice of reports due be given to the various Chairmen of Committees and others interested, before each meeting of the Conference.

A resolution for presentation at this convention, providing for the automatic dropping from Conference membership of any member leaving the rabbinate, was approved.

The following rabbis were elected to membership:

William Ackerman, Pensacola, Fla.; M. M. Eichler, Boston, Mass.; Solomon B. Freehoff, Cincinnati, Ohio; Emil G. Hirsch, Chicago, Ill.; Harry G. Lewis, New York; Israel I. Mattuck, London, England; S. Mendelsohn, Wilmington, N. C.; Harold F. Reinhart, Gary, Ind.; William Rice, Salt Lake City; Abba H. Silver, Wheeling, W. Va.; Jacob Tarshish, Allentown, Pa.

Rabbi Israel Heinberg, Texarkana, Tex., and Rabbi Julius H. Meyer, Chicago, Ill., were reinstated to membership. One member was suspended for non-payment of dues.

Respectfully submitted,

MORRIS M. FEUERLICHT, *Recording Secretary.*

The report was received with thanks and adopted.

Upon motion, the action of the Executive Committee in appointing Rabbi Isaac E. Marcuson, Editor of the Yearbook, was confirmed.

It was moved and adopted that all discussion be limited to three minutes; that, however, in the round table discussion, the opening speaker shall be allowed twenty minutes and each succeeding speaker five minutes.

Rabbi Kornfeld—There is one paragraph in the report which should be more explicit. It was Rabbi Gries personally, and not as President of the Conference, whom the Executive Board felt would be the most suitable member to act as Chairman of the Committee on Church and State.

The Chair—This action of the Executive Board does not mean that a rule has been established, that the President of the Conference shall be Chairman of the Committee on Church and State. In submitting the Committee appointments to the Executive Board, a number of names was submitted for the Chairmanship of this Committee. The Executive Board voted that the President accept the Chairmanship.

The report of the Corresponding Secretary, Rabbi Kornfield, was read.

REPORT OF THE CORRESPONDING SECRETARY.

To the Central Conference of American Rabbis,

GENTLEMEN: At the conclusion of his term of office, your Corresponding Secretary begs to report that he has endeavored to discharge the duties of the office to the best interests of the Conference and the fullest satisfaction of the entire membership. It would be too much to hope that these efforts, however well directed, should have proven altogether successful. But whatever his failings in execution, his intentions were always the best and in the words of our ancient rabbis, *Machashava ṭovah meṣarefah lema'aseh.* At times, circumstances may have prevented the most desirable promptness, but in the main, every official communication was transmitted with the least possible delay.

The announcement of the tentative program appeared on April 9th. The Jewish press very kindly accorded us liberal space.

The circular letter to the congregations was received with marked courtesy. Many congregations communicated to your Secretary their high appreciation of the service of the Conference, and their thorough recognition of the benefits accruing to the congregation from the attendance of the rabbi at our conventions.

In accordance with the action of the last convention, new calendars were printed in the spring, and, thanks to the kindness of Rabbi George Zepin, distributed through the office of the Department of Synagog and School Extension.

The matter of distributing the holiday press notices has been carefully considered by your Secretary. For obvious reasons the present method is hardly satisfactory. Inasmuch as these holiday notices are sent to every rabbi, it is but natural that in cities where there are several rabbis, each one takes it for granted that the other has supplied the press with these notices and, not infrequently, it is neglected by all. A far better method would be to entrust this work to the state representative of the Committee on Church and State, who could communicate with one particular rabbi in each city of the state he represents, with the instruction that he transmit a copy of such an announcement to his local newspaper. Your Secretary would respectfully recommend the adoption of this method.

From June 10, 1914, to June 7, 1915, your Secretary issued, upon proper endorsement, 175 vouchers, aggregating $12,576.27. The expense of the Executive Board meeting in Cincinnati was $168.40. During this year, we have paid the balance on account of the publication of the new hymnal amounting to $5,235.65. The expense incurred in the Secretary's office, amounted to $97.35.

In conclusion, your Secretary begs to express his sincerest thanks to the President, officers and members of the Conference for their kind co-operation in the performance of his duties.

Respectfully submitted,

JOSEPH S. KORNFELD,

Corresponding Secretary.

The report was received with thanks and the recommendations were adopted, with the exception of that referring to the distribution of the holiday press notices; action on this was deferred until after the presentation of the reports of the Committees on Tracts and Sermonic Literature.

The report of the Treasurer, Rabbi Leo M. Franklin, was presented:

REPORT OF THE TREASURER

To the Central Conference of American Rabbis,

GENTLEMEN: At the close of the last fiscal year, June 10th, 1914, our books showed that we had total resources amounting to $38,128.50. During the year that has passed, our books show a slight increase in our total resources over last year, despite the fact that we have encountered extraordinary expenses due to the publication of the new Hymnal, and have paid out of this year's collections for the 1913 as well as the 1914 Yearbook, and in the face of the further fact that contributions to our Tract and Relief Funds have shown a marked falling off from previous years, due to the fact that the usual appeals were not made, on account of the action of the 1915 meeting of the Union of American Hebrew Congregation, in creating a new Joint Tract and Relief Commission. We have funds, invested and in bank, amounting to $39,228.63, an increase of $1,100.13 during the year. The close of the year now beginning should, of course, show a very marked increase over this amount, due to the probable sales of the new Hymnal.

We have on our books at the present time, two hundred and nineteen members, of whom two are honorary and nine exempt from dues. During the past year we lost by death two, by suspension three, added fifteen new members to our rolls, and re-instated one who had been suspended. Of our total membership, one hundred and seventy-one have paid their dues to June 10, 1915, twenty-seven owe for one year, seven owe for two years, three owe for three years.

There are two items of bookkeeping to which attention should be called. By order of the Executive Board, interest is now credited to the General and Relief Funds in exact proportion to the moneys in those funds at the time interest is paid, instead of being divided equally between them, as was heretofore the rule. On January 1st of the current year, we repaid to the General Fund from the Relief Fund the sum of five thousand dollars, thereby enabling us to credit the entire face value of the New York mortgage to the Relief Fund, instead of having it divided between the two funds, as heretofore.

At the present time our funds are distributed as follows:

Bond and Mortgage Guarantee Co., N. Y., Mortgage at 4½ per-cent	$25,000.00
Detroit Trust Co., Detroit, 2 Certificates of Deposit, $2,500 each, at 4 percent	5,000.00
Security Trust Co., Detroit, 1 Certificate of Deposit, $3,000, at 4 percent	3,000.00
German-American Bank, Detroit, Savings Account, at 3 percent	6,000.00
German-American Bank, Detroit, Commercial Account	228.63

It will be noted that in the commercial account we carry at all times a merely nominal sum, sufficient to pay current bills.

The expenses of the Conference are constantly growing larger, while our income does now show a proportional increase. We should not undervalue the significance of this important fact, but should take steps not only to safeguard our present holdings, but also to increase them as far as may be, in the immediate future.

To this report is appended a detailed list of receipts and expenses. All vouchers issued during the year and duly cancelled have, according to the order of the Executive Board, been turned over to your Auditing Committee.

I cannot conclude this report without a word of sincere appreciation to the officers of the Conference, who have uniformly shown a fine spirit of co-operation with this office. and to my colleagues in general, for the confidence imposed in me, and for the help that, at all times, they have been ready to offer me.

All of which is respectfully submitted.

LEO M. FRANKLIN, *Treasurer.*

FROM JUNE 10, 1914 TO JUNE 10, 1915

SUMMARY OF RECEIPTS AND DISBURSEMENTS

Receipts

Cash on hand June 10, 1914	$ 5,128.50	
Dues	1,000.00	
Relief Fund	1,255.35	
Tract Fund	825.00	
Publication Account	8,899.64	
Interest	1,649.99	
Refunds	36.32	
Over Cash	10.00	
Exchange	.10	
Total Receipts	$18,804.90	$18,804.90

Disbursements

General Expenses	$ 4,078.07	
Relief Fund	652.22	
Tract Fund	47.22	
Publication Account	7,798.76	
	$12,576.27	
Cash on hand June 10, 1915	6,228.63	
	$18,804.90	$18,804.90

STATEMENT OF GENERAL FUND

Receipts

Balance on hand June 10, 1914	$ 2,334.66	
One-half dues	500.00	
Interest	842.00	
Refund	16.32	
Exchange	.10	
Over Cash	10.00	
Transferred from Relief Fund	5,000.00	
Total Receipts	$ 8,703.08	$ 8,703.08

Disbursements

General Expense	$ 4,078.07	
Balance in General Fund	$ 4,625.01	$ 4,625.01

STATEMENT OF RELIEF FUND

Receipts

Balance on hand June 10, 1914	$ 5,993.07	
One-half dues	500.00	
Interest	807.99	
Donations	1,255.35	
Total Receipts	$ 8,556.41	$ 8,556.41

Disbursements

Pension Account	$ 600.00	
Refund	5.00	
Collection Expense	47.22	
Transferred to General Fund	5,000.00	
Total Disbursements	$ 5,652.22	$ 5,652.22
Balance		$ 2,904.19

STATEMENT OF TRACT FUND

Receipts

Balance on hand June 10, 1914	$ 2,083.45	
Donations	825.00	
Total Receipts	$ 2,908.45	$ 2,908.45

Disbursements

Collection Expenses	47.22	
Total	$ 47.22	$ 47.22
Balance		$ 2,861.23

STATEMENT OF DUES

Receipts

Members' Dues	$ 1,000.00

Disbursements

Relief Fund	$ 500.00	
General Fund	500.00	
	$ 1,000.00	$ 1,000.00

STATEMENT OF PUBLICATION FUND

Receipts

Balance on hand June 10, 1914	$ 2,717.32	
Publications	8,899.64	
Refund	20.00	
Total Receipts	$11,636.96	$11,636.96

Disbursements

Publication Expense	$ 7,798.76	$ 7,798.76
Balance		$ 3,838.20

STATEMENT OF INTEREST ACCOUNT

Receipts

Interest on New York Mortgage	$ 1,125.00	
Interest on Certificate of Deposit	377.77	
Interest from Bank	147.22	
Total Receipts	$ 1,649.99	$ 1,649.99

Disbursements

Relief Fund	$ 807.99	
General Fund	842.00	
	$ 1,649.99	$ 1,649.99

SUMMARY OF FUNDS

Balances June 10, 1915:		
General Fund	$ 4,625.01	
Publications Fund	3,838.20	
Relief Fund	2,904.19	
Tract Fund	2,861.23	
	$14,228.63	$14,228.63

TOTAL RESOURCES

June 10, 1915:	
Bond and Mortgage Guarantee Co., New York	$25,000.00
Detroit Trust Co., Detroit, 2 Certificates of Deposit	5,000.00
Security Trust Co., Detroit, 1 Certificate of Deposit	3,000.00
German-American Bank, Detroit (Savings Account)	6,000.00
German-American Bank, Detroit (Commercial Account)	228.63
Total Resources	$39,228.63

The report was received with thanks and referred to the Auditing Committee.

The report of the Committee on Solicitation of Funds was presented by the Chairman, Rabbi Morris M. Feuerlicht.

REPORT OF COMMITTEE ON SOLICITATION OF FUNDS

To the Central Conference of American Rabbis,

GENTLEMEN: The Committee on Solicitation of Funds begs leave to submit the following as its report for the year 1914-1915:

Receipts

Tract Fund	$ 825.00	
Relief Fund	1,255.35	
Total	$ 2,080.35	$ 2,080.35
Expenditures	$ 94.44	
Pro rata expense for each fund	47.22	
Tract Fund receipts, net	777.78	
Relief Fund receipts, net	1,208.23	
Total Receipts, net	$ 1,985.91	$ 1,985.91

A comparison with the figures for the year 1913-1914 will show a considerable decrease in receipts for the present year. This is directly due to two causes: First, the general financial depression, as was specifically indicated in the many communications received from contributors who requested either temporary or permanent omission of their names from the Committee's list; and second, the action of the 1915 meeting of the Union of American Hebrew Congregations in creating the new Joint Tract and Relief Commissions of the Union. Under instructions from the Executive Board of the Conference, the Solicitation Committee made no further effort to increase the Tract and Relief Funds, pending action by these newly created Commissions. The customary Passover appeal was accordingly omitted this year, with the expected falling off in our receipts. Under the new arrangement with the Union, it is believed that the financial burdens of the Conference, at least with respect to these two funds, will be considerably and permanently lightened.

Appended herewith is the detailed list of contributions and contributors.

Respectfully Submitted,

MORRIS M. FEUERLICHT, *Chairman.*

CONTRIBUTORS TO TRACT AND RELIEF FUNDS OF C. C. A. R., 1914-1915

Alabama

	Tract	Relief		Tract	Relief
Benton—			Birmingham—		
J. C. Cadden.....		$ 5.00	Morris Adler.....		$ 5.00
			S. Spiro.....		5.00

Alaska

Flat City—		
A. J. Weiss.....$ 5.00		

Arizona

Bisbee—					
Ben Frankenberg...	5.00		Sam Frankenberg...$ 2.50		2.50

Arkansas

Ft. Smith—			Little Rock—		
United Hebrew Con-			Chas. T. Abeles.....		10.00
gregation.....		5.00	Mark M. Cohn.....	2.50	2.50

California

Los Angeles—			San Francisco—		
Harris Newmark....	5.00		Philip Anspacher....	5.00	5.00
Sacramento—			Otto I. Wise.....	5.00	5.00
Isidore Cohen.....	5.00				

Connecticut

Hartford—			New Haven—		
Jacob L. Fox.....		5.00	Max Adler.....	5.00	
			Jacob Newman.....		5.00
			Isaac M. Ullman....	5.00	5.00

District of Columbia

Washington—	
Washington Hebrew	
Congregation.....	10.00

Georgia

	Tract	Relief
Savannah—		
Ladies' Hebrew Benevolent Society..		$10.00

Illinois

	Tract	Relief
Chicago—		
A. G. Becker.....		5.00
Mrs. Eva Browarsky		5.00
B. D. Eisendrath....	$5.00	5.00
Mrs. M. J. Freiler..		3.00
Gustav Freund.....	5.00	5.00
Mrs. Leopold Goldsmith.....	1.00	
Elias Greenebaum....		5.00
Isaiah Temple.....	15.00	10.00
Mrs. Emanuel Mandel.....	5.00	5.00
Mrs. Maurice Rosenfeld.....	$5.00	$5.00
Toby Rubovits.....		5.00
Mrs. C. H. Schwab..	5.00	
Adolph Stein.....		5.00
Philip Stein.....	5.00	5.00
Meyer L. Straus....	5.00	5.00
Galesburg—		
Jewish Ladies' Aid Society.....		5.00
Elise Nirdlinger.....		5.00
Mt. Carmel—		
Sol. H. Blank.....	1.00	

Indiana

	Tract	Relief
Fort Wayne—		
Leopold Freiberger..		5.00
Goshen—		
N. Salinger.....		5.00
Indianapolis—		
Phil Adler.....	5.00	
Edgar A. Eckhouse..	5.00	
G. A. Efroymson.....	5.00	5.00
Indianapolis Hebrew Congregation.....	10.00	15.00
J. W. Jackson.....	5.00	
Henry Kahn.....		5.00
Henry Rauh.....		5.00
Samuel E. Rauh....		5.00
Joseph Wineman....		5.00
Kokomo—		
J. S. Levi.....	5.00	5.00
Lafayette—		
Jewish Ladies' Aid Society.....	5.00	
Julius L. Loeb.....		5.00
Summitville—		
Wm. Warner & Sons		5.00
Wabash—		
Hebrew Ladies' Benevolent Society..		5.00

Iowa

	Tract	Relief
Decorah—		
Ben Bear.....		5.00
Des Moines—		
Mrs. B. Frankel....		5.00
Keokuk—		
J. B. Weil.....	2.50	2.50
Sioux City—		
David Davidson....		5.00
Chas. Wise.....		5.00

Kansas

	Tract	Relief
Salina—		
Stiefel Bros.	$5.00	$5.00

Kentucky

	Tract	Relief
Danville—		
Pushin Bros.	5.00	5.00
Louisville—		
B. Bernheim	5.00	5.00
I. W. Bernheim	50.00	50.00
M. H. Flarsheim	$5.00	$5.00
Paducah—		
Friedman, Keiler & Co.		5.00

Louisiana

	Tract	Relief
Alexandria—		
A. E. Simon	5.00	
New Orleans—		
Leon Israel & Bros.	5.00	5.00
Maurice Stern	5.00	5.00
Congregation Temple Sinai	10.00	

Maryland

	Tract	Relief
Baltimore—		
Baltimore Hebrew Congregation	12.50	12.50
Baltimore Hebrew Congregation	12.50	12.50
Moses Goldenberg	5.00	5.00
Meyer Hollander	5.00	5.00
William Levy		5.00
Cumberland—		
Rosenbaum Bros.	5.00	

Michigan

	Tract	Relief
Alma—		
M. Pollasky		5.00
Bay City—		
L. E. Oppenheim	5.00	5.00
Charlevoix—		
Summer Congregation, per Henry Moses		120.35
Detroit—		
Temple Beth El	10.00	
L. Wineman		5.00
Lansing—		
Joseph Gerson	5.00	5.00
Marcellus—		
G. Stern	3.00	
Saginaw—		
Max Heavenrich		5.00

Minnesota

	Tract	Relief
Minneapolis—		
Isaac Weil	5.00	5.00
Jonas Weil		5.00

Mississippi

	Tract	Relief
Natchez—		
Congregation Bnai Israel		$10.00
Vicksburg—		
Ladies' Hebrew Benevolent Society		$5.00

Missouri

	Tract	Relief
Joplin—		
Hebrew Ladies' Aid Society		5.00
Kansas City—		
Alfred Benjamin	$5.00	5.00
Congregation Benai Jehudah	25.00	25.00
Julius Davidson	5.00	5.00
Wm. S. Ney		5.00
Louisiana—		
Jewish Congregation		5.00
Michael Bros	$2.00	2.00
St. Joseph—		
Eugene F. Westheimer	5.00	5.00
St. Louis—		
Ben Altheimer		5.00
Moses Schoenberg	5.00	5.00
Aaron Waldheim		5.00

Montana

	Tract	Relief
Choteau—		
Julius Hirshberg	5.00	5.00

Nebraska

	Tract	Relief
Lincoln—		
Morris Friend	5.00	5.00
I. Gluck		5.00
Simon D. Mayer		5.00
Omaha—		
Morris Levy	5.00	

New Jersey

	Tract	Relief
Newark—		
Louis Plaut	5.00	
Abraham Rothschild		5.00
Orange—		
Jacob Roth		5.00

New Mexico

	Tract	Relief
Cuba—		
A. Eichwald	5.00	5.00
Las Vegas—		
D. Winternitz		5.00

New York

	Tract	Relief
Albany—		
Albert Hessberg...	$5.00	
Simon W. Rosendale.....	5.00	$5.00
Brooklyn—		
Michael Furst....		5.00
Buffalo—.		
Kiser & Boasberg..		5.00
Gloversville—		
Harry J. Louis....	5.00	5.00
New York City—		
Temple Beth-El...	25.00	25.00
Mrs. J. B. Bloomingdale.....		5.00
Abram I. Elkus...	5.00	
Temple Emanuel..	50.00	200.00
J. B. Greenhut....	5.00	5.00
Daniel P. Hays...	5.00	
Mrs. L. Kohns....		$5.00
Edward Lauterbach.....	$5.00	
Emil S. Levi.....		5.00
Kaufman Mandell	5.00	
Albert G. Morgenstern.....	5.00	5.00
Adolph S. Ochs...	5.00	
Max Ottinger.....		5.00
M. Warley Platzek		5.00
Jacob H. Schiff...	5.00	5.00
Leopold Stern....		5.00
Oscar S. Straus...	5.00	5.00
Ludwig Vogelstein		5.00
Niagara Falls—		
Silverberg Bros...	5.00	5.00
Rochester—		
Abram Adler.....	5.00	
Simon L. Steefel..		5.00

North Carolina

Greensboro—		
Caesar Cone.....		5.00

Ohio

Bucyrus—		
M. Engelhard....	5.00	
Canton—		
Miss Mary Stern..		5.00
Cincinnati—		
Bernhard Bettmann.....		5.00
Isaac Bloom.....	1.00	1.00
Sol Fox.....	5.00	5.00
J. Walter Freiberg	10.00	10.00
Maurice J. Freiberg.....	10.00	10.00
A. W. Goldsmith..	5.00	5.00
Henry Jonap.....100.00		5.00
Sam Kahn.....		5.00
Lipman Levy.....	10.00	
Millard W. Mack.	5.00	
Ralph W. Mack..	10.00	
N. Meis.....	2.50	2.50
Myer Oettinger...	5.00	
Jacob Ottenheimer	5.00	
I. Newton Trager		5.00
Eli Winkler.....	5.00	5.00
Cleveland—		
L. A. Braham....	5.00	5.00
Julius Feiss.....	5.00	5.00
Aaron Hahn.....	5.00	
Siegmund Joseph..		5.00
M. A. Marks.....	5.00	
Columbus—		
Fred Lazarus.....	5.00	5.00

Ohio—Continued

	Tract	Relief		Tract	Relief
Dayton—			Toledo—		
F. J. Ach		$5.00	A. S. Cohen		$5.00
Hamilton—			Jacob Lasalle	$5.00	
Felix Kahn	$5.00		Cong. Shomer Emunim		10.00
Sandusky—			Youngstown—		
S. Kaplan		5.00	Rodeph Sholom Sisterhood	5.00	5.00
Steubenville—					
Frank S. Loeb	5.00	5.00			

Oregon

Baker—		
Robert Wallbrunn	2.00	

Pennsylvania

Allentown—			Samuel Snellenberg	5.00	
Chas. Kline	5.00		Albert Wolf		5.00
Braddock—			Pittsburg—		
Jewish Ladies' Auxilliary, I. O. B. B.		5.00	Louis I. Aaron	5.00	5.00
Philadelphia—			Isaac W. Frank	5.00	5.00
Henry Fernberger		5.00	Marcus Rauh	10.00	10.00
Congregation Rodeph Shalom	25.00	25.00	Scranton—		
			Dr. E. G. Roos	5.00	
			Wilkesbarre—		
			S. J. Strauss		5.00

Rhode Island

Providence—		
Mrs. Marion L. Misch	5.00	5.00

South Carolina

Charleston—			Manning—		
Melvin M. Israel		5.00	Mrs. M. L. Barnett		5.00
			Miss Annie R. Loryea		5.00

Tennessee

Memphis—				
Joseph Newburger	5.00	5.00	Leon Sternberger	5.00

Texas

	Tract	Relief
Dallas—		
Sanger Bros.....	$5.00	
El Paso—		
J. Stolaroff.....		$2.00
San Antonio—		
O. Berman.....		$5.00

Virginia

	Tract	Relief
Harrisonburg—		
Bernard Bloom...	5.00	
Norfolk—		
Harry L. Loewenberg.....		5.00
Richmond—		
L. Z. Morris.....		5.00
Philip Whitlock...	$5.00	5.00

West Virginia

Huntington—		
J. Broh.....		5.00

Wisconsin

Appleton—		
Louis J. Marshall.		5.00
Elkhart Lake—		
Summer Congregation.....		18.00
Summer Congregation.....		9.00
Milwaukee—		
Phil Carpeles.....	5.00	
Congregation Emanuel.....		25.00
Max Landauer....	5.00	
Nat Stone.....		5.00
Racine—		
H. S. Hartman...	5.00	5.00

The report was received with thanks and referred to the Auditing Committee.

The report of the Committee on Relief Fund was presented by the Chairman, Rabbi Joseph Stolz.

REPORT OF COMMITTEE ON RELIEF FUND

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Relief Fund begs leave to report that during the past year, our fund has been augmented by the sum of $2,516.27, viz:

Solicitation, net	$1,208.28
One-half dues	500.00
Interest	807.99
Total	$2,516.27

The fund, which at present amounts to $27,904.19, is safely invested under the direction of the Investment Committee, and the whole interest is now transferred to the account of the Relief Fund.

During the year, we continued the pension of $300.00 to the widow of one member, and $300.00 to the full orphans of another member; and at the pre-Conference meeting of the Executive Board, held June 29th, a pension of $300.00 was granted for the forthcoming year, to a dependent member and his wife.

One hundred and fifty-six contributions, amounting to $1,255.35 gross, were made to the Relief Fund under the auspices of the Solicitation Committee. Sixteen congregations and eight sisterhoods sent donations ranging from $200.00 to $5.00. The example set by the summer congregation of Charlevoix, sending $120.35, and the summer congregation of Elkhart Lake, sending $27.00, is worthy of emulation.

In conformity with the suggestion of the President of the Union of American Hebrew Congregations, that body has appointed a commission consisting of Messrs. Edward Heinsheimer, Martin A. Marks, Alfred Seligman, A. J. Sunstein and George Zepin, to act in conjunction with a Commission on Superanuated Ministers' Fund appointed by the Conference, for the purpose of devising some plan for the creation and maintenance of an adequate pension fund. Several plans have been suggested, but it is felt that the whole matter is so complicated, that an expert actuary must be consulted before any definite scheme be recommended. It is possible that a meeting of the joint Committee can be held at Charlevoix in the course of the week. At any rate, we recommend that a Commission be re-appointed in the hope that when the next Council of the Union of American Hebrew Congregations will meet, we shall be able to come before the country with a tangible and workable plan.

Respectfully submitted,

JOSEPH STOLZ, *Chairman*
I. E. MARCUSON
DAVID PHILIPSON

Upon motion, the report was received with thanks and the recommendations were adopted.

The report of the Investment Committee was read by the Chairman, Rabbi Leo M. Franklin:

REPORT OF THE INVESTMENT COMMITTEE

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Investments begs leave to report that we have at the present time about six thousand dollars in the savings bank, drawing interest at the rate of three percent. In the opinion of your Committee, who have carefully considered the statements of your Treasurer as to the probable income and outlay for the coming year, it would be advisable to set aside four thousand dollars of this amount for permanent investment. We have at the present time eight thousand dollars invested in certificates of deposit drawing four percent. This additional four thousand dollars might be similarly invested, or, together with the amount named as being invested in certificates of deposit, it might be put into some guaranteed mortgage paying a somewhat higher rate of interest.

Our New York mortgage for twenty-five thousand dollars matures January, 1917. In the interim, inquiry should be made as to the most advisable means of disposing of this sum of money at the maturity of the mortgage.

All of which is respectfully submitted.

LEO M. FRANKLIN, *Chairman*
MORRIS M. FEUERLICHT
WILLIAM ROSENAU

The report was received with thanks and referred to the Executive Board.

The report of the Editor of the Yearbook was presented by Rabbi Morgenstern:

REPORT OF THE EDITOR OF THE YEARBOOK

To the Central Conference of American Rabbis,

GENTLEMEN: At a meeting of the Executive Board, in the fall of 1913, the suggestion was offered that a salaried Editor be employed to whom alone the task of editing the Yearbook might be entrusted. It was hoped that through this means the book might appear more promptly than had been customary, and also, that a better edited and more impressive book might be produced. The suggestion was adopted, and the action approved by the Conference at the Detroit convention. The services of the undersigned were engaged. Herewith he submits his report.

In May, 1914, bids were invited from fourteen of the leading printing firms of the country. The same copy of detailed specifications had been previously submitted to each. Thirteen firms submitted bids, varying greatly in amounts bid. The contract was awarded, after mature consideration by

the President and the Editor, to C. J. Krehbiel & Co., of Cincinnati, a firm that had done considerable work for the Conference in previous years, and had invariably given complete satisfaction. A careful comparison of all bids received with the details of the completed book, proves that the contract was awarded to the lowest bidder.

During the summer months the Editor carefully prepared all the matter for the business portion of the book. Here the instructions of the Executive Board, to condense the discussion as much as possible, were strictly followed. In recording discussion from the floor only those remarks were retained, that, in the Editor's judgment, were essential for a right understanding of the final action, or that might prove serviceable for future reference, or that seemed to voice some principle worthy of perpetuation. All such remarks were reduced to as concise expression as possible. In all this the Editor was guided by the strictest impartiality.

After having edited the business portion of the book in accordance with these principles, the work was submitted to the President of the Conference for approval. The President and the Editor carefully reviewed the entire work, which, after a few suggestions and minor corrections, was approved by the President. It was then given to the printer. The Editor begs to express here his appreciation of the helpful advice and co-operation of the President. The book appeared early in December. Thereby the one object in view was attained. The experience of the past year should in the future effect a further saving in time of some three or four weeks, provided that the same system of a salaried Editor be continued.

Since the book commemorated the Silver Anniversary of the Conference, an attempt was made to make it more than ordinarily attractive and distinctive. A splendid photograph of Dr. Wise, and a photograph of the silver plate and block presented to the Conference by the family of Dr. Wise, serve as frontispieces. The book is printed upon 50-lb. laid paper, a much better and more pleasing paper than any used in previous books, and easier on the eye of the reader. A new, stronger and more artistic binding was adopted. A competent authority has pronounced the book "One of the very best pieces of Jewish bookmaking that has appeared in America."

Considerable attention was given to secure as logical and aesthetic arrangement of the internal matter of the book as possible. A more elaborate and systematic table of contents and the use of page headings make for readier use of this volume than of any previous volume of the Yearbook. Itemized statements of financial reports were omitted, and only general totals were given. Furthermore, the constitution was not reprinted, inasmuch as it had not been amended since the appearance of the preceding Yearbook. The usual summary was omitted, since it was felt that the detailed index served practically the same purpose. In this way some forty pages were saved.

One thousand copies of the book were printed, all bound in cloth. In addition reprints of special papers and of the membership list and standing

committees and of the report of the Solicitation Committee were made in accordance with the instructions of the Executive Board. About 960 copies of the Yearbook have been distributed. In addition, 800 copies of the Anniversary Address of Dr. Philipson were distributed among the leading libraries of the country, while 3,000 copies were sent to the chairman of the Solicitation Committee for propaganda purposes. The size of the book made packing in cartons necessary. The book was mailed by the printer. Every effort was made to distribute the book, whether by parcel post or express, as economically as possible.

Before distributing the book the old mailing list was carefully revised and a card index thereof prepared. Many names were omitted from the old list for various reasons.

Acting upon a suggestion of the President, a return postal was sent with each book, with the request that the recipient acknowledge the receipt of the book and state whether he wishes it sent in the future, and to what address, and whether he prefers the complete book itself or a concise summary. 296 cards have been returned, a very fair proportion. Of the Conference members, 89 expressed their preference for the Yearbook alone; 9 would like a summary in addition to the Yearbook, but one would prefer the summary to the Yearbook. Of the non-members of the Conference, 173 prefer the Yearbook alone; 1 would like both Yearbook and summary; 11 prefer the summary, and 12 wish for neither. Their names have been removed from the mailing list. This expression of opinion determines conclusively that there is, comparatively speaking, no demand for a summary.

These cards have served a second purpose also. The mailing list was entirely too large and burdensome. Accordingly a committee, duly appointed, carefully analyzed the list of those recipients of the Yearbook, not connected in any way with the Conference, who had not acknowledged the receipt of the Yearbook nor expressed the desire for future books, and removed the names of about 150. This leaves a mailing list of approximately 800 names, and allows about 200 books to be held in reserve.

The fact that competitive bids were secured, and the contract awarded to the lowest bidder, and also that the work was systematized and all possible economies introduced, effected a saving in expense that fully compensated for the salary of the Editor. Now that the system is definitely established, still further economies will be possible in the future, and the total cost of the book considerably decreased.

In conclusion, the Editor wishes to express his appreciation of the unique honor of having been invited to edit this Yearbook. He has done his best, and trusts that the results have been satisfactory. He regrets that other duties prevent his continuing this work for another year. It is needless to add that the experience he has gained is always at the service of the Conference.

Respectfully submitted,

JULIAN MORGENSTERN, *Editor.*

The report was received with thanks and ordered to be made part of the record.

It was moved and carried that hereafter the names of members suspended for non-payment of dues shall not be published in the Yearbook.

The report of the Finance Committee was presented by the Chairman, Rabbi Kornfeld.

REPORT OF THE FINANCE COMMITTEE

To the Central Conference of American Rabbis,

GENTLEMEN: Your Finance Committee, charged with the important duty of outlining the financial prospect and policy of the Conference for the coming year, has carefully studied the financial record for the past year, and on the basis of this, presents herewith its annual report.

As was anticipated in the report of last year, the expenditures from the General Fund have exceeded the income to this fund by $1,644.09. This was due to the two facts that during the past year it was necessary to pay for the Yearbooks of the last two years, and that the final cost of production of the revised Union Hymnal, $5,235.65, had to be advanced from this fund. During the past four months, sales of the revised Hymnal have yielded a return of over $1,200.00 on this investment. It is confidently expected that within the next two years, this book will have paid its original cost of production, and will begin in subsequent editions to yield a fair and legitimate profit. In view of these facts, the excess of expenditure over income can not be considered at all alarming.

It is pleasing to be able to report that the recommendation made in the last annual report of this Committee, that in consideration of the anticipated large drain upon the General Fund, extreme economy in all matters must be practiced, has been painstakingly carried out by the administration. In almost every item the actual expenditures have fallen considerably below the estimate of the Committee presented in its last report. This is a most gratifying condition, and establishes a standard that future administrations may well seek to emulate.

The financial outlook for the coming year is bright, indeed. The estimated income to the General Fund is as follows:

From Publications	$5,500.00
From Dues	500.00
From Interest	800.00
Total	$6,800.00

The estimated expenditures are as follows:

For Yearbook	$1,500.00
For Committees	150.00
For Corresponding Secretary	300.00
For Convention	250.00
For President	150.00
For Holiday Sermons	85.00
For Printing	100.00
For Executive Board	225.00
For Subventions	50.00
For Incidentals	200.00
Total	$3,010.00

This gives an estimated balance of income to the General Fund over expenditures of $3,790.00. This is also a most gratifying condition. Yet it must be borne in mind that, to a certain extent, this condition is abnormal, and by no means indicative of continuous future prosperity. It is due in large part to the fact that an extensive sale of the revised Union Hymnal is anticipated for the coming year, and the consequent return of a considerable portion of the original cost of production of this work to the General Fund. But this very fact clearly exemplifies the need of continued economy in the employment of the General Fund. For from it must be advanced the money necessary for the initial production of two other important works the Conference has undertaken, and which now seem well on the road toward completion, viz., the revision of the Union Prayer Book and the new Minister's Handbook. Each of these works will necessitate a large initial expenditure. Eventually, of course, the revised Union Prayer Book will more than pay for itself. It is questionable, however, whether there will ever be sufficient demand for the Minister's Handbook to make it a financial success. The prospects are that financially it will always be a burden to the Conference, yet a burden that must be borne in view of the great spiritual advantages to be gained from such a work. In preparing its estimate of expenditures for the year the Committee was altogether unable to estimate the requirements of the two Committees on Revision of the Union Prayer Book and Minister's Handbook, since it could not, of course, foresee just what work these Committees contemplate for the coming year.

I. It therefore recommends that each of these Committees present to the Executive Board at its fall meeting, a carefully prepared estimate of financial needs for the year, together with an outline of progress of work. The necessary appropriation shall then be made in the usual way.

II. The Committee further recommends that the Tract Commission, which operates under the joint auspices of the Department of Synagog and School Extension of the Union of American Hebrew Congregations and the Conference, be requested to undertake in connection with the publi-

cation of Tracts, the task of publication and distribution of the annual sermon pamphlet, the holiday notices and the Conference calendar. At present these sermons and notices are actually distributed by the Department of Synagog and School Extension; the cost of printing and distribution is, however, for the most part borne by the Conference. The Committee believes that this course will be productive of better results.

In conclusion, the Committee takes pleasure in calling attention to the fact that in the four years, 1910-1914, the income of the Relief Fund has exceeded the disbursements by $5,885.82. This amount has been augmented during the past year by $1,179.58. This condition should set at rest the fears of those members, who some years ago opposed the application to the General Fund of the entire net profit from publications. The Relief Fund promises to be ample, under the present system, for present needs.

Respectfully submitted,

JOSEPH S. KORNFELD, *Chairman*
JULIAN MORGENSTERN
GEORGE ZEPIN

The report was received with thanks and the recommendations considered seriatim.

Recommendation I was adopted.

Action on recommendation II was postponed until after the report of the Committee on Sermonic Literature was presented.

The report of the Publications Committee was presented by the Chairman, Rabbi Morgenstern:

REPORT OF THE PUBLICATIONS COMMITTEE

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee, to which was entrusted the supervision of the publication business of the Conference during the past year, presents herewith its annual report.

It is pleasant, indeed, to be able to state at the outset that the business for the year 1914-1915 has exceeded by several hundred dollars that of any other single year in the history of the Conference. This is all the more significant in view of the present general financial depression. It shows conclusively that the demand for the Conference publications is growing steadily because of the commensurate growth of that particular wing of Judaism which finds expression for its worship in the liturgical publications of the Conference. There can be no question that these various works, and above all the Union Prayer Book, have been mighty factors in the progress

of Reform Judaism in America, and have influenced similar movements abroad. Here, perhaps, lies the greatest achievement and noblest monument of our Central Conference of American Rabbis.

Before reviewing the year's business, it is indeed fitting that we speak a word of appreciation of the faithful service and unremitting zeal of the Bloch Publishing Co., uniformly manifested during the last ten years in the discharge of its duties as sole agent for all Conference publications. In its hands the business has flourished and the Conference has profited accordingly. It has ever shown itself, not only absolutely reliable, but even generous, in the interpretation of its contract relations with the Conference. Due acknowledgement should likewise be made of the efficient service given by the Publishers Printing Co., and the J. F. Tapley Co., both of New York City, in printing and binding various Conference publications.

The following table records the business of the year:

RECORD OF BUSINESS WITH THE BLOCH PUBLISHING CO.

JUNE 1, 1914—JUNE 1, 1915

PUBLICATIONS	Stock on hand June 1, 1914	Books received June 1, 1914 June 1, 1915	Stock on hand June 1, 1915	Books sold June 1, 1914 June 1, 1915	VALUE
Union Prayer Book I—					
Cloth	179	2465	180	2464	$1,724.80
Leather	91	465	33	523	549.15
Stiff morocco	3	0	3	0	0.00
Flexible morocco	65	325	82	308	539.00
India paper	16	26	14	28	63.70
Unbound	0	100	0	100	56.25
Union Prayer Book II—					
Cloth	175	3342	198	3319	2,323.30
Leather	461	355	315	501	526.05
Stiff morocco	88	0	67	21	29.40
Flexible morocco	130	125	105	150	262.50
India paper	15	26	17	24	54.60
Unbound	0	100	0	100	56.25
I and II combined, India paper	8	26	24	10	45.50
Sabbath Eve and Morning Service	286	3140	2	3424	599.20
Week day Service	260	450	188	522	91.35
Union Haggadah—Cloth	163	1070	269	964	168.70
Cloth gilt	336	0	326	10	3.20
Leather	122	0	104	18	7.20
Prayers for Private Devo'n					
Cloth	122	200	184	138	24.15
Leather	101	0	61	40	28.00
Union Hymnal—					
Old edition	131	743	124	756	226.80
New edition	0	4933	110	4823	1,929.20
Sermons by American Rabbis, paper	707	0	24	683	170.75
Total Sales					$9,479.05

Summary

Balance due Conference June 1, 1914	$ 1,012.19	
Value of books received, June 1, 1914-June 1, 1915	11,102.37	
	$12,114.56	$12,114.56
Stock on hand	$ 1,623.32	
Cash remittances, June 1, 1914-June 1, 1915	8,894.94	
Charged to Conference	713.10	
		$11,231.36
Balance due, June 1, 1915		$ 883.20

STOCK ON HAND WITH THE PUBLISHERS PRINTING CO.

	Sheets	Bound
Union Prayer Book, Vol. I, regular	1535	387
Stiff morocco		100
Oakland edition	275	
India paper	315	
Union Prayer Book, Vol. II, regular	2370	2500
India paper	340	
Week day Service	530	547
Prayers for Private Devotion, regular	3950	
India paper	400	
Union Hymnal, old edition	520	

STOCK ON HAND WITH THE J. F. TAPLEY CO.

Union Hymnal, revised edition	11643	5500

Analysis of these tables discloses certain significant facts. It is to be noted that while the sales of the Union Prayer Book, Vol. I, exceeded those of any previous twelve months, they still were less by some seven hundred volumes than the sales of Vol. II. In fact, Vol. II has become by far the Conference's best selling book, although Vol. I is certainly used more frequently and extensively. This is, of course, due to the fact that the Sabbath Service Book, of which 3,424 copies were sold during the past year, to a large extent takes the place of and lessens the demand for the Union Prayer Book, Vol. I. Five years ago the Conference endeavored to solve this very problem by withdrawing the Sabbath Service Book from the market. The demand for the larger work immediately trebled. But inasmuch as there was, and

is, a real need for the smaller book, it was later restored to the market. Since then the demand for Vol. I has not kept pace with the increasing demand for Vol. II. The situation is by no means as alarming as in 1910, and in view of the impending revision of the Union Prayer Book, it may well be left unaltered, at least for the present. But when the revised Union Prayer Book shall have once appeared, proper provision should be made to regulate the influence of the Sabbath Service Book upon the demand for the Union Prayer Book, Vol. I.

Consideration of the above tables shows that the present supply of the
I Union Prayer Book, Vol. I and of the Union Haggadah will not meet the demand of the coming year. The Committee recommends that a new edition of each be now authorized; the details, however, shall be arranged by the Publications Committee, subject to the approval of the Executive Board.

It is evident that there is at present practically no demand for the Book of Prayers for Private Devotion. During the three years that it has been upon the market, but 1,335 copies have been sold. But 178 copies were sold during the past year. This little book was prepared, not so much to satisfy an actually existent need as to satisfy a need that ought to exist, or at least ought to be called into existence. Perhaps something can be done by more effective advertising of this book; this the Committee plans to do during the coming year. But after all the members of the Conference individually must reawaken the instinct for personal prayer in our Jewish men and women. And they should inform their congregations of the existence of this little book, and use it themselves, and in every way possible urge its use upon others.

The Committee recommends that in the first circular letter sent to the
II members of the Conference by the incoming administration this matter be given as forcible expression as possible.

It is likewise to be noted that there is comparatively little demand for the fine India paper edition of the Union Prayer Book. The Committee hopes, through judicious advertising, to create a larger demand for this edition. And it likewise urges the members of the Conference to spread the knowledge of the existence of this special edition.

During the past year the supply of the Sabbath Service Book became exhausted. This condition was not unforeseen by the Committee. The printing of a new edition was recommended to the Executive Board at its meeting in January, but for some reason the Board failed to approve. In consequence the book was off the market for approximately two months, and orders for several hundred copies had to remain unfilled. The Executive Board has at last authorized a new edition and the book is once more upon the market. Attention is called to this fact, partly by way of a *resumé* of the year's work, but more particularly because it reveals one weakness in our business system. This work is essentially a business proposition and must be handled strictly as such. Immediate action upon all matters is absolutely necessary. For this reason, and much to his regret, the Chairman of this Committee was unable to communicate regularly with all members of the

Committee. Work like this must necessarily be transacted by one man alone, or, at the most, by one man in close co-operation with no more than one or two others. And these men must have large authority to carry on the business in all its phases, even to the ordering of new editions, if there be no time to secure authorization for these from the Conference itself or from the Executive Board. During the past year the Chairman of this Committee acted in the closest and most helpful co-operation with the President III of the Conference. In view of all this, the Committee recommends that the present system of a large Publication Committee be discontinued, and that instead one man, to be known as Supervisor of Publications, be appointed by the Executive Board at the annual post-convention meeting, who, with the President of the Conference and the Treasurer, shall constitute the Publications Committee. This Committee shall have full power to transact all business pertaining to publications in the interims between conventions of the Conference or meetings of the Executive Board, and shall present full reports of its transactions at all such conventions and meetings.

It is indeed a matter for pride and congratulation that the revised Union Hymnal, after many years of preparation, was at last put upon the market during the past year. It has won ready and well-deserved acceptance. Inasmuch as the book did not appear until January, long after religious schools had opened for the year, the sale to date, 4,823 copies, is most gratifying. The book has thus far been introduced into 60 congregations and institutions. A detailed list of these is appended to this report. It is to be expected that in the coming year the demand for the book will increase greatly.

Of the new work a first edition of 21,650 copies was printed. 10,007 copies have already been bound. The total cost of the complete work to date has been $7,320.76. To put the entire first edition upon the market will cost approximately $8,660.00 or 40 cents per volume. This sum, of course, includes the entire cost of production, type-setting and plate-making. Accordingly, it was found advisable to sell this new work at 50 cents net, a very reasonable price, considering the unquestioned merit of the book and the high cost of production.

The Conference had at first intended that this first edition be sold, in part at least, through the Hymnal Committee, in order to secure as large return of the original cost of production as possible. The Chairman of the Hymnal Committee secured estimates from the members of the Conference of the number of copies each would need. However, when the book appeared, it was found that these estimates were in many cases larger than the actual order. Many members were unwilling to take the book until the coming fall. This would have prolonged this task of selling the first edition indefinitely. In this difficulty the Bloch Publishing Co. generously volunteered to handle this entire first edition of the new Hymnal at a discount of only 20 percent, instead of the former 40 percent. This small discount barely covers the cost of distribution and collection, and leaves practically no profit for them. At the same time it gives to the Conference a return of 40 cents per volume, the actual cost of production, and also assures the disposal of this entire first

edition much more quickly than if the Hymnal Committee had handled the business.

A new contract with the Bloch Publishing Co., which must result in more efficient handling of the publication business and greater mutual profit, is now being negotiated. The terms have been agreed upon by both parties, and have been approved by the Executive Board. The contract now merely awaits the signature of the President of the Conference.

In particular this new contract provides for more wide-spread and efficient advertising of all Conference publications by the agent. This should result in increased sales and profits for both. The Committee is planning, in conjunction with the agent, to push the sales of the Conference publications more aggressively during the coming year than ever before. It plans to circularize all congregations of the country to learn whether they are using the Conference publications and to what extent, and if not, their reasons therefor. In particular it proposes to endeavor to induce the members of the Conference, and especially those who have served, or are serving, upon the Executive Board or as high Conference officers, and whose congregations have not yet adopted the Conference liturgical publications, to urge this step by every means in their power. Certainly, the desire for unity and harmony in religious observance, if nothing else, should commend such action.

It was found expedient to discontinue the employment of an expert accountant to audit the books of the Bloch Publishing Co. and the stock of Conference publications with them. The business has been so systematized that proper audit can be made by any duly authorized member of the Conference. The work was done this year by Rabbi Frisch. His report tallies with the statement of the Bloch Publishing Co. in every detail. No audit need be made of stock with the Publishers Printing Co. and the J. F. Tapley Co., since no payment is made to them until books are delivered to the Conference agent.

During the past year the surplus stock of free publications of the Conference and of Sermons by American Rabbis, hitherto stored with our agent, and imposing an undue burden upon him in the way of room rent and insurance, has, with the permission of the Board of Governors, been placed in the basement of the Library of the Hebrew Union College. Due expression of thanks should be made.

A more efficient system of handling all applications for free books was devised during the year. In the past, books have been given rather too freely and easily. At present every application must be accompanied by a full statement of the need and purpose. The Chairman of the Publications Committee makes careful investigation, and then refers the application with his findings and approval to the President of the Conference for endorsement. A careful record upon cards is kept of all books thus distributed. Wherever possible, payment for the books at the usual discount of 33⅓ percent to charitable institutions is urged. This system has already effected a reduction in the number of requests for books. But one person has complained, and, when informed that if he would simply give assurance that the institution

he represented could not afford to pay for the books requested, they would be given free of charge, he failed to give such assurance or to renew his request.

The Union Prayer Book was introduced into eleven congregations in the course of the year. Congregation B'ne Jeshurun, Milwaukee, Wis.; Temple Judaea, Chicago, Ill.; Temple Israel, Dyersburg, Tenn.; Temple Beth El, Saginaw, Mich.; Congregation Mount Zion, Wausau, Wis.; Zion Temple, Middlesboro, Ky.; Temple Adas Emuno, Hoboken, N. J., and the congregations in Rockford, Ill., Springfield, Ill., Fort Scott, Kan., and Goshen, Ind. The Prayer Book is now used in 313 congregations and 23 institutions. Undoubtedly this good work will continue steadily. The outlook for the coming year and for the future is bright indeed.

But in this connection we must emphasize one point, that is, in a way, the central theme of this report. This publication work is altogether a business matter, as said before. But more than this, it is the very bone and sinew of practically all Conference activity. It alone furnishes the means that enables the Conference to carry on its manifold functions. The income to the General Fund from dues and interest does not equal the cost of the annual Yearbook. All other activities depend entirely upon the profits derived from the sale of the Conference publications. The greater, therefore, these profits, the more manifold and useful will be the Conference activities. This fact is certain, that the Conference is both entitled to, and must receive, a fair, even though not unduly large, profit from every publication, in order that it may carry on its work. The rate of profit will necessarily not be the same for all publications. The Hymnal, for example, can not be sold for more than 50 cents, since it satisfies, at least at present, primarily only a religious school demand. But there must be a fair profit from each and every publication.

In accordance with this proposition, which may well be regarded as the fundamental principle of the publication business of the Conference, the Committee invites consideration of two publications, the Union Haggadah and the Book of Personal Prayers.

The Union Haggadah has been on the market for nine years. 11,997 copies have been sold. The receipts have aggregated $2,155.34. The stock on hand, at present face value, with no allowance for deterioration and free distribution, is worth $192.00. To date the Haggadah has cost the Conference $2,324.10. This does not include the loss of interest upon the original investment during these nine years. In other words, instead of reaping a fair profit from the sale of the Haggadah, the book has not yet, after nine years, paid for itself. And inasmuch as a new edition must be printed this year, the probability is great that it will be another three or four years before the book will have completely paid for itself. The conclusion is obvious that the cost of production of this book, was not considered when the selling price was fixed, and that the selling price was fixed entirely too low. But one procedure is open, viz., to raise the price of the book to the proper figure. The Committee has carefully investigated the situation, and finds that no cloth-bound Haggadah in the American market retails today for less than 40 cents. Only a few Haggadahs, bound in paper or boards, retail for 20

cents. In view of these facts, the Committee urgently recommends that the price of the Haggadah, cloth bound, be raised to 40 cents. This
IV will yield the Conference 28 cents for each book, and thus secure a fair margin of profit. This increase in price would work no hardship upon the public, since, when once purchased, these books continue to be used for a lifetime. If advisable, a cheaper edition, bound in boards, might be issued. The Committee, however, counsels against this, at least for the present.

The Committee further recommends that the present cloth gilt
V edition of the Haggadah be discontinued, and that the 326 copies in stock be used to fill orders in quantities less than five, upon which no discount is allowed. This edition differs from the regular cloth edition chiefly in that the top is gilded in imitation gold. During the nine years in which it has been upon the market, but 168 copies have been sold.

The Committee further recommends that the price of the limp
VI leather edition of the Haggadah be increased correspondingly from 50 cents to $1.00. At the former price the Conference receives 35 cents for each copy thus bound. Exclusive of the original cost of production, each such book now costs the Conference 42 cents, in other words represents a loss of 7 cents per copy. This can hardly be considered good business.

With the Book of Personal Prayers, a condition somewhat similar, though not of the same magnitude, obtains. To date 1,645 copies sold have yielded a return of $482.10. The total cost to date, as far as can be determined, is $618.05. The book has been upon the market for three years. It represents a loss to date of $135.90, exclusive of interest upon the original investment. To counterbalance this the stock on hand is worth $202.15. But at the present rate of sale, it would require at least five more years before the present deficit will be made good. It is obvious that this book, too, has been sold at too low a price. Exactly the same conditions obtain with it as with the Haggadah. The Committee therefore recommends that the price
VII of the cloth bound edition of this work also be increased to 40 cents, and that the price of the leather bound edition be left as it is, $1.00. This increase will not at all affect the sale of the book.

These facts show the need of carefully recording all items of expenditure incidental to the production of future publications, and the consideration of the total cost of production of each in determining its selling price. This system was followed to good advantage in connection with the new
VIII Union Hymnal. The Committee recommends that it be employed likewise in connection with the forthcoming revised Union Prayer Book and Minister's Handbook, and all other future publications of the Conference.

The Committee further recommends, for obvious reasons, that it
IX have complete charge of the task of printing and marketing such future publications, after the manuscript shall have been officially accepted by the Conference.

In past years the Conference has cheerfully provided the Department of Synagog and School Extension of the Union of American Hebrew Congregations with copies of the Sabbath Service Book and the Union Hymnal

free of charge for the conduct of services in summer resorts. This work has grown steadily, until now the Department of Synagog and School Extension hesitates to ask for the number of books commensurate with its needs. It asks instead permission to reprint, in time sufficient for use next summer, as a supplement to its Union Bulletin, such portions of the Sabbath Service Book and a limited number of hymns from the new Union Hymnal as may be needed for its purpose. Such a booklet can be placed in the hands of each worshiper, and thus full participation in the service can be gained. The department guarantees to print the service in such form that it will not interfere with the sale of either the Union Prayer Book, the Sabbath Service Book or the Union Hymnal. The Committee recommends that the necessary permission to reprint be given, subject to the supervision and approval of the Chairman of the Publications Committee and the President of the Conference, and with the requirement that due acknowledgment to the Conference be made upon the cover of the reprint.

X

In conclusion both duty and gratitude compel a word of appreciation of the labors of the former Chairman of this Committee, our lamented colleague, Rabbi Adolf Guttmacher. For seven years he cheerfully and ably discharged the many and arduous duties of this important office, and helped to put the publication business of the Conference upon a sound basis. When the present Chairman entered upon this office, Dr. Guttmacher showed himself uniformly kind and courteous in explaining all the business and duties attendant thereupon, and in lending his assistance in every way possible. The Conference has lost a faithful member, and the Publications Committee an earnest worker, in his all too early death. *Zecher zaddiq liv'rocho*; may his memory be unto us for blessing and inspiration in our work.

The Chairman of the Committee wishes also to express his appreciation of the valuable assistance and unfailing courtesy shown him by the President of the Conference, without whose helpful counsel much of this work could not have been properly carried out, and of the generous co-operation of Rabbi Ephraim Frisch, who so willingly consented to audit the stock of Conference publications with the Bloch Publishing Co., and so ably discharged this task.

Respectfully submitted,

JULIAN MORGENSTERN, *Chairman*
EPHRAIM FRISCH
ISAAC LANDMAN
ISAAC E. MARCUSON

CONGREGATIONS AND INSTITUTIONS THAT HAVE INTRODUCED THE REVISED UNION HYMNAL

City	Congregation
Albany, N. Y.	Beth Emeth
Ann Arbor, Mich.	Jewish Student Congregation
Appleton, Wis.	Zion

City	Congregation
Atlanta, Ga.	Hebrew Benevolent
Augusta, Ga.	Children of Israel
Baton Rouge, La.	Bene Israel
Birmingham, Ala.	Emanuel
Charleston, S. C.	Beth Elohim
Charleston, W. Va.	Hebrew Educational Society
Chicago, Ill.	North Chicago Hebrew
	Zion
Cincinnati, Ohio	Bene Israel
Cleveland, Ohio	Jewish Orphan Asylum
	The Temple
Cumberland, Md.	Bair Chayim
Danville, Ill.	Reform Jewish
Dayton, Ohio	Bene Jeshurun
Duluth, Minn.	Temple Emanuel
El Paso, Tex.	Mt. Sinai
Erie, Pa.	Anshe Chesed
Evansville, Ind.	Bene Israel
Fresno, Cal.	
Ft. Scott, Kan.	
Ft. Smith, Ark.	United Hebrew
Harrisburg, Pa.	Oheb Shalom
Hartford, Conn.	Beth Israel
Jacksonville, Fla.	Ahavath Chesed
Kansas City, Mo.	Bene Jehudah
Lansford, Pa.	
Latrobe, Pa.	
Lima, Ohio	Beth Israel
Long Branch, N. J.	Temple Miriam
Louisville, Ky.	Adath Israel
Mansfield, Ohio	
Mobile, Ala.	Shaare Shamayim
Monroe, La.	Bene Israel
Montgomery, Ala.	Kehal Montgomery
Mt. Vernon, N. Y.	Sinai
Newark, N. J.	Bene Jeshurun
New Haven, Conn.	Mishkan Israel
New Orleans, La.	Temple Sinai
New York City	Hebrew Orphan Asylum
	Temple Israel of Harlem
	Tremont Temple
	West End Synagog
Pittston, Pa.	
Portland, Ore.	Temple Beth Israel
Reading, Pa.	Oheb Shalom

City	Congregation
Rochester, N. Y.	Berith Kodesh
Sacramento, Cal.	Bene Israel
San Diego, Cal.	Beth Israel
San Francisco, Cal.	Emanuel
Scranton, Pa.	Anshe Chesed
Springfield, Ill.	Brith Sholem
St. Paul, Minn.	Mount Zion Hebrew
Syracuse, N. Y.	Society of Concord
Tacoma, Wash.	Beth Israel
Terre Haute, Ind.	Temple Israel
Wilburton, Okla.	
Youngstown, Ohio	Rodef Shalom

The report was received with thanks.

Rabbi Chas. S. Levi—In view of the fact that this report of the Publications Committee is the most important and most vital that has yet come before the Conference, I move that it be referred to a Special Committee on Publications, who shall consider not only this report, but also that of the agent of the Conference, and report back to this convention.

Rabbi Morgenstern—There is no objection on the part of the Committee, but in past years, the report of the Publications Committee was referred to the Auditing Committee, so that the financial parts of the report could be audited. This has already been done. The report of the sales agent has also been audited. All that the Special Committee would have to do would be to consider the recommendations. These have been given far more mature thought by the Publications Committee than they could possibly be given by a Committee acting hastily during the session of the Conference.

Rabbi Heller—While the Committee has stated the recommendations very carefully, the reasons for each recommendation are also given. If referred to a Special Committee, they could group these recommendations and thus expedite matters.

Rabbi Levi—My reason for having this Special Committee appointed was to give distinction to this report which is so vital

and which touches on matters of such far-reaching importance to the Conference. It can then report at some appointed time, after due deliberation and consideration of the changes suggested.

It was moved and carried that the report be referred to a Special Committee on Publications to consist of five members, of whom the Chairman of the Publications Committee should be one. (Report on page 117.)

The report of the Committee on Arbitration was read in the absence of its Chairman, by the Corresponding Secretary.

REPORT OF THE COMMITTEE ON ARBITRATION

To the Central Conference of American Rabbis,

GENTLEMEN: A survey of the field in which your Committee was appointed to labor during the past year has revealed a gratifying barrenness. As far as your Committee were able to ascertain, there has been peace between the congregations and their rabbis, members of this Conference.

While the Chairman has been ready and willing to offer his services as arbitrator between rabbi and congregation, he is glad to state that those services were not required, and submits his report with the sincere wish: כה לחי

S. HECHT, *Chairman.*

The report was received with thanks and adopted.

The report of the Curators of Archives was presented by Rabbi Morgenstern:

REPORT OF THE CURATORS OF ARCHIVES

To the Central Conference of American Rabbis,

GENTLEMEN: Your Curators of Archives beg to report that they have carefully arranged and cataloged the Archives of the Conference. These are stored in the fire-proof vault of the Library Building of the Hebrew Union College. The catalog is appended to this report. Yearbooks of 1900, 1901 and 1902 are lacking; it is to be hoped that these may be obtained in some way, and the file of Yearbooks thus be completed. During the year one copy of every different publication of the Conference, in the various styles of binding, copies of which are still in possession of the Conference, were stored in the Archives.

I Your Curators recommend that the Silver Block and Gavel presented to the Conference by the family of its founder, Dr. Isaac M. Wise, on the occasion of the celebration of its Twenty-fifth Anniversary in 1914, be loaned as an exhibit to the Jewish Museum of the Hebrew Union College.

Respectfully submitted,

HENRY ENGLANDER
JULIAN MORGENSTERN

CATALOG

1 letter file, 1898-1899	3 letter files, 1905-1907
1 letter book, 1898-1899	5 letter files, 1907-1909
2 letter files, 1900-1902	1 letter file, 1909-1910
1 letter file, 1902-1903	4 letter files, 1910-1911
3 letter files, 1903-1905	2 letter files, 1912-1914

Treasurer's checks and stubs, No. 1-1000.
Corresponding Secretary's stubs, No. 1080-1268 (1912-1914).
Stenographer's report and other papers pertaining to the Detroit convention, 1914.
Papers of incorporation of the Conference.
Union Prayer Book, vol. I, in cloth, leather, limp leather and india paper.
Union Prayer Book, vol. II, in cloth, buffing, leather, limp leather, india paper, also old style, large size, in leather and limp leather.
Union Prayer Book, vols. I and II, combined, india paper.
Evening Service for Weekdays, in paper and cloth.
Sabbath Eve and Morning Service, cloth.
Morning Services (Sunday ritual), in cloth and paper.
Union Haggadah, in cloth, cloth gilt and limp leather.
Union Hymnal, old edition.
Union Hymnal, new edition.
Sermons by American Rabbis, paper.
Sermon pamphlets, 1908, 1909.
Tract II, The Jew in America.
Tract III, Jew and Non-Jew.
Aspects of Reform Judaism, Margolis.
A Plan for Co-operative Work in Collecting Material for Encyclopedic Studies in Jewish History and Literature and Supplementary Explanations, Deutsch.
The Origin and Function of Ceremonies in Judaism, Kohler.
The Significance of the Bible for Reform Judaism in the Light of Modern Scientific Research, Morgenstern.
Crescas and Spinoza, Neumark.
The Reform Movement before Geiger, J. S. Raisin.
The Attitude of Judaism toward Christian Science, Lefkovits.
The Ethics of the Halakah, Lauterbach.

Jewish Music Historically Considered, Singer.
The Place of the Jew in the Racial Interpretation of the History of Civilization, Heller.
Archeological Research in Bible Lands, Anspacher.
The Significance of the Agada, Enelow.
The Use of Stories in Religious School Work, Marcuson.
The Principles and Achievements of the Central Conference of American Rabbis—Twenty-fifth Anniversary Address, Philipson.
Review of Yahuda's, "Bahja ibn Paquda," Bettan.
Yearbooks 1890-1899, 1903-1914.

The report was received with thanks and the recommendation adopted.

The President read the following letter from Dr. Cyrus Adler, asking the co-operation of the Conference in the effort of the American Jewish Committee to organize a conference of representatives of all national Jewish organizations to meet in Washington.

RABBI MOSES J. GRIES,
President, Central Conference of American Rabbis, Charlevoix, Mich.

DEAR SIR:—I have the honor to enclose herewith the text of the resolutions adopted by the American Jewish Committee at a special meeting held on Sunday, June 20, 1915, with a view to convening a Conference of representatives of national Jewish organizations, to consider the Jewish question as it affects our brethren in belligerent lands. I beg to request that you lay these resolutions before the convention of your body, and ask it to elect or appoint two delegates to this Conference.

Trusting that your organization will see its way to accept this invitation, I am,

Very truly yours,
CYRUS ADLER
Chairman, Executive Committee

RESOLUTIONS ADOPTED BY THE AMERICAN JEWISH COMMITTEE AT A SPECIAL MEETING HELD ON SUNDAY, JUNE 20, 1915.

RESOLVED, that a conference be held of delegates from Jewish national societies throughout the country, for the sole purpose of considering the Jewish question as it affects our brethren in belligerent lands;

THAT the number of delegates to this conference shall not exceed one hundred and fifty;

THAT each organization shall choose its delegates in such manner as it may deem advisable, but it is recommended that in the selection of delegates, the members of the organizations or their governing bodies be enabled to express their preference for delegates;

THAT a special committee of seven be appointed to designate the organizations to be invited to participate in the conference, and to work out a basis of representation for the various organizations to be invited;

THAT the conference shall take place at Washington, D. C., as near as possible to November 1, 1915, and that the several organizations which are to participate be requested to select their delegates not later than October 10, 1915;

THAT the Executive Committee be empowered to defer the convening of the conference if circumstances shall arise to render such action advisable.

The matter was, upon motion, referred to the Committee on Co-operation with National Organizations.

The report of the Committee on Contemporaneous History was presented by the Chairman, Rabbi Gotthard Deutsch:

REPORT OF THE COMMITTEE ON CONTEMPORANEOUS HISTORY

To the Central Conference of American Rabbis,

GENTLEMEN: Since our last convention the following deaths occurred, upon which your Committee deems it advisable that this Conference take suitable action:

I Julius Rodenberg, the illustrious German author, passed away full of years, July 11, 1914. By the mere fact that he acquired such a prominent position in the literary world, he has reflected credit on his people. But he has, in addition, a claim on our gratitude for the sympathetic way in which he portrayed in his novels, Jewish characters and epochs of Jewish history, like the readmission of the Jews to England. Your Committee suggests that this convention express its grief at the demise of this noble scion of Israel, and convey its sympathy to the bereaved family.

II Among the first victims which the terrible war claimed among the workers in Israel's vineyard was Abraham Bloch, chief rabbi of Lyons, who fell on the battle field at Taintrux, Vosges, August 29, 1914, while ministering to the wounded, not only to Jews, but to men of all faiths. Nearly fifty-five years of age, and, consequently, past the age of military service, he had enlisted as a volunteer to help the cause of his beloved country. Sad as his death is, we, his fellow workers, say of him, as was said of Ben Dama, when taken away in the prime of life: "Happy art thou, whose life was pure and whose soul left the body in purity." (Abodah Zarah, 27b; Eccl. Rabba, I. 8.) Your Committee proposes that the text of this resolution be trans-

mitted to M. Alfred Levy, Grand Rabbin of France, conveying to him our sympathy with the loss sustained by the French rabbinate, and requesting that he transmit our feelings of deepest sympathy to the bereaved family.

III The Rabbinerseminar of Berlin has lost, within the last six months, two members of its staff, both men of international fame in the Jewish scholarly world. On November 24, 1914, the great Semitist, Jacob Barth, died at the age of sixty-three, only a few days after he had received the news that his son, a promising young physician, decorated with the iron cross, had fallen on the battlefield in the performance of his duty. On April 22, 1915, ten days before he would have completed his 82nd year, the versatile scholar, Adolf Berliner, was called hence. Only a few weeks before he died, Adolf Berliner published a charming essay on "Jewish Soissons," proving that he followed keenly the events of the day and had retained his mental vigor to the last. Like the great master Rashi, to whose life and works Berliner devoted such unceasing activity, he died with pen in hand (Commentary to Makkot, 19b). We are indebted to him for works in all fields of Jewish history and literature, too numerous to mention. Less within the limits of popular literature was the work of Jacob Barth, who left a respected name in the world of Semitic philology, recognized by his standing as Professor—extraordinarius though it be—and by the distinction of the title of Privy Councillor. At the same time, as an observant Jew, as teacher of future rabbis, as exegete and as vigorous defender of Israel's honor, his claim to grateful remembrance by our body is undisputed. Your Committee suggests that our sentiments of high respect for the deceased scholars be transmitted to Dr. David Hoffmann, Rektor of the Rabbinerseminar of Berlin, and that he be requested to transmit them to the respective families.

IV With the death of Narcisse Levin, which occurred January 6, 1915, the last surviving charter member of the Alliance Israelite Universelle, was removed from this earth. This fact alone gives to the name a lasting historic significance. The deceased has earned, by his devotion to the noble cause which he so ably represented, by his years of service as President of this Society, a claim on the gratitude of all those to whom the welfare of the Jewish people and the Jewish cause are the objects of life.

Be it Resolved, that this convention place on record its deep sentiment of sorrow at the demise of this indefatigable worker for Israel's cause and convey a message of sympathy to the Comité Central of the Alliance Israelite Universelle at Paris, adding the hope that, with the return of peace, Jewish fellowship will be restored to its full efficiency, and the cause advocated by the small band of youthful enthusiasts who, in 1860, founded the society with the motto that all Israelites are mutual bondsmen, will continue to prosper for the good of Israel and humanity. Your Committee hopes that the American rabbinate, as heretofore, will assist this work to the best of its ability.

V Biblical Science lost one of its leading devotees in the death of Professor Thomas K. Cheyne, of Oxford, who passed away February 16, 1915.

Your Committee suggests that, through our friends in England, we convey our sentiments of profound grief at the death of this illustrious worker in the field of Biblical Science to the proper parties.

VI On the Sabbath of the Passover week, April 3, 1915, as was befitting a man who has brought the sunshine of holiday to many homes of poverty and affliction, Isaac Loebush Perez, the great Yiddish novelist, was taken from us in the sixty-fourth year of his useful life. Perhaps no one has presented the poetry of Jewish life and thought with such impressiveness, realistic vigor and genuine sympathy as he. We hope that in no distant future the tragedy of the life in the Russian Pale will be a mere memory. Then Perez will not only remain the historian whose fiction is truer than historiography, but he will also be the honest apologist who has shown beneath certain uncouth features of a life, crippled by tyranny, true devotion, idealism and sincere religiosity. Your Committee suggests that these sentiments be conveyed to the bereaved family through the medium of the Jewish press of Warsaw, the last home of the deceased.

VII Your Committee suggests that we record our grief at the untimely demise of Charles Frohman, who met a tragic death on the Lusitania, May 7, 1915. As one who believed the purpose of the stage to be the spiritual uplift of the masses and who, by the honored name that he won for himself in the field of dramatic art, reflected credit on his people, he has established a claim on our grateful remembrance.

VIII On June 5th, Leo Herzberg-Fraenkel, the noted novelist, died at the age of eighty-eight. He was one of those who helped preserve the reminiscences of one phase of Jewish life, either already past or vanishing, and who was, in the best sense of the word, an apologist of Jewish life, showing the poetic and noble qualities beneath a surface which is strange and occasionally even repellant to modern Western Judaism. Your Committee suggests that this Conference express its recognition of the merit of the work of this writer and convey these sentiments with expressions of sympathy to the bereaved family.

IX One of Israel's great lay leaders in this country has been taken from us in Bernhard Bettmann, who, shortly before the completion of his eighty-first year, passed hence on June 18, 1915. As in his length of days he reminds us of the founder of this Conference, so his activity was indissolubly connected with that of Isaac M. Wise whom he supported as Hur did Moses, in fighting the battles of the Lord. A man of high culture and prominent position in public life, he devoted his best energies to the up-building of the Hebrew Union College, over whose administration he presided from its beginning for a period of thirty-five years. His tact and his love of the cause were largely instrumental in overcoming the difficulties which beset the path of the pioneer institution of Jewish learning on this continent. His memory will forever be honored in the sense in which the rabbis say that a parnas, who was a true leader of his flock on earth, will remain its true leader even after his death. (Sanhedrin, 92a). Your Committee proposes that these sentiments be conveyed to the bereaved family by special resolution.

X The terrible war which has been devastating the world for nearly a year calls for supreme efforts on the part of the pulpit to create a stronger sentiment for peace, and to warn against a false conception of patriotism that sees in conquest its highest expression. Your Committee suggests that

Yom Kippur be set aside for the preaching of a sermon on peace to be followed by special prayers. To avoid the misunderstanding which arose on a similar occasion some years ago, your Committee wishes to declare that it has not the remotest idea of interfering with the individuality of the pulpit; but it feels that the impressiveness of the pulpit message will gain immensely, if the same lesson is preached on the same day from every Jewish pulpit in the land, and if all reiterate the good old Jewish belief in God, who "chose His good prophets and delighted in their words which are spoken in truth."

XI The old rabbinic principle that we have to thank God for evil which is the fountainspring of good (Berakot, 60b) applies to our present condition. At no time in history has the patriotism of the Jewish people been put to as severe a test as during the eleven months just past. It will be of great value for the future to gather all records of Jewish acts of bravery on the battlefield, of sacrificing care bestowed on the wounded, of losses suffered through the war, of sacrifices made for the state or for war sufferers. Those of us who remember the enthusiams of 1871 and lived through the disillusionment, beginning in 1878, can not be regarded as pessimists, if they appeal to their younger contemporaries to be conservative in their expectations of the future.

In the course of the war, and especially at the end of it, the Jews of the different contending nations will no doubt collect and publish the evidence of the patriotic and humanitarian activities of the Jewish citizens or subjects of their respective countries. Your Committee recommends that an appropriation be made for the collection, not only of statistics, but of all interesting objects relating to the participation of the Jews in the war, such as sermons, special prayer books issued, and even pictures and cartoons. The Committee further recommends that this collection be placed in the Library of the Hebrew Union College and that, after the war, the Executive Board decide what disposition and use shall be made thereof. "If I am not for myself, who shall be for me."

XII The same truth applies to the great task which awaits Israel at the end of this war. About six millions of our brethren, living in the immense empire of Russia, are deprived of the most elementary rights of human beings; of freedom of movement, of freedom of earning a livelihood through honest toil, and of the right to obtain their just share in the educational facilities of the state for the maintenance of which they are taxed. Our non-Jewish neighbors do not know this, and even our own congregations are often very indifferently informed on this subject. Your Committee proposes that a special opportunity be selected to discuss these conditions in public, preferably on a Sunday morning; that the facts be impressively presented; that this Conference prepare for such purpose a leaflet, giving a condensed presentation of the facts; that the newspapers be requested to publish exhaustive reports; that resolutions be passed which shall ask that the government of the United States exert its influence at the coming peace congress to obtain, through international guarantee, an improvement in the condition of the Jews of Russia, and, if possible, of Rumania; that these resolutions be presented in every case to the senators from the State, to the representatives of the

district in Congress, and to the members of the State Legislature; that the latter be requested to introduce resolutions in their respective parliamentary bodies, urging support of the effort to carry out the fundamental principle of American life, "that all men are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness."

XIII Your Committee further suggests that this Conference propose to some of our national representative bodies that a proper Committee be sent to Europe, extending its tour to Egypt and Palestine, to examine the conditions of our brethren in the war stricken countries, and make a public report. Your Committee is firmly convinced that the cost will be amply compensated for by the experience gained and by the protection secured against fraud, wastefulness and neglect.

XIV Of literary tasks that deserve consideration your Committee recommends Eisenstein's "Ozar Midrashim," of which five copies, at $5.00 each, should be acquired and placed in the Hebrew Union College or otherwise disposed of in libraries or as prizes. Equally strong is the claim of the "Mekize Nirdamim" for a subvention of $50.00, needed on account of the crisis in the warring countries and the cutting off of communication between Germany and her enemies.

XV The death of Dr. Joseph Chazanowitsch, the founder of the National Library of Jerusalem, recalls the unselfish zeal of this noble man. Again your Committee requests that all publications of this body, all works published by members of the Conference, and whatever should appear useful, be sent to Jerusalem as soon as communication shall have been restored.

XVI The libel case in Quebec, decided favorably for the Jewish cause by the court of appeal, December 29, 1914, suggests preparedness for the future. Plamondon, an unscrupulous agitator, delivered a lecture on the Talmud, using the old arguments of medieval apostates and slanderers, compiled with misspent energy by Eisenmenger, and superficially epitomized by Rohling. In the latter form the anti-Semites of all countries and tongues are furnished with venomous weapons. The case of Quebec shows that we need a defense in such cases in English speaking countries. Your Committee proposes such a defense by a brief tract, containing rabbinical ethics, classified according to subjects, as domestic life, social life, business activity, civic duty, kindness to animals, toleration, education, etc. The work should be brief. It should contain very little text beyond the actual quotations from rabbinical literature with their references. It should be constantly offered for sale and distribution through proper agencies, and so arranged that new and increased editions can be published at not too high a cost. Your Committee suggests that this recommendation be referred to the Tract Commission.

Respectfully submitted,

GOTTHARD DEUTSCH, *Chairman*
MAX HELLER
ISAAC LANDMAN
MEYER LOVITCH

The report was received and the recommendations were considered seriatim.

Rabbi Schulman—I believe we ought to discuss and decide for all time what should be included in the report of the Committee on Contemporaneous History. I do not think that we, as a Conference of rabbis, should feel ourselves bound to express sympathy at the death of every man who chanced to be born a Jew. We, as a Conference, should stand for Judaism as religion. We must emphasize allegiance and service to Judaism.

Rabbi Heller—I believe with Rabbi Schulman, that we should limit our expressions of sympathy to those who have rendered service to Judaism.

The Chair—Because a man has been prominently before the public is not sufficient reason for the Conference to pay him a special tribute if he never identified himself with the Jewish cause. We should appoint a committee to define some policy by which the Committee on Contemporaneous History could be guided in the future.

It was moved and carried that a Special Committee on Memorial Resolutions, consisting of five members, be appointed by the President, and that this Committee should formulate some policy to guide the Committee on Contemporaneous History in the future in recommending names for recognition.

Recommendation I was adopted.

Recommendations II to V inclusive were adopted by a rising vote.

Recommendations VI to VIII were adopted.

Recommendation IX was adopted by a rising vote.

It was moved that a Special Committee be appointed to draw up suitable resolutions and send a copy of these resolutions to the wife of Bernhard Bettman as an expression of the respect and esteem of the Conference.

The Conference adjourned to reconvene at 8:00 p. m.

WEDNESDAY EVENING

The Conference reassembled at 8:30 o'clock and resumed consideration of the report of the Committee on Contemporaneous History.

Recommendation X was referred to the Committee on President's Message.

Recommendation XI was referred to the Executive Board with authorization to spend a sum not exceeding $50 for the purpose.

Recommendation XII was adopted with certain verbal changes.

Recommendation XIII was referred to the Committee on Co-operation with National Organizations.

Recommendation XIV was referred to the Executive Board.

Recommendation XV was adopted.

Recommendation XVI was referred to the Tract Commission, as suggested by the Committee.

Rabbi Moses J. Gries, President of the Conference, led in a round table discussion of the subject, "Problems and Policies of the Conference."

The Conference adjourned.

RELIGIOUS EDUCATION DAY

THURSDAY MORNING, JULY 1ST

The Conference assembled at 10:00 o'clock.

The opening prayer was delivered by Rabbi Leonard J. Rothstein.

The report of the Committee on Religious Education was read by the Chairman, Rabbi Simon:

REPORT OF THE COMMITTEE ON RELIGIOUS EDUCATION

To the Central Conference of American Rabbis,

GENTLEMEN: The progress of religious education is especially marked by many educational schemes, seeking to fit religious ideals and doctrines

into the public and private schools, and of securing university and high school credits for religious instruction outside of these institutions. We recommend that the Conference select as its central theme for next year's Religious Education Day program a consideration of all projects now under discussion in our country, with reference to the adjustment of religious and secular education in the public and private schools.

The success last year of presenting one central theme for Conference discussion on Religious Education Day justifies a continuance of the plan this year. The development of character is the fruit of all our religious endeavor. Our religious education vindicates itself from this stand-point only. Mere religiousness and morality are not equivalents, and the new pedagogy cannot make up for the loss of the old piety. We need to concentrate all our energy on the utilization of every legitimate educational force and agency of the religious and secular type to guarantee the development of the Jewish character of our boys and girls. With this central idea in view, the following symposium has been arranged.

Very respectfully submitted,
ABRAM SIMON, *Chairman*
MOSES BUTTENWIESER
MAURICE H. HARRIS
ABRAM S. ISAACS
DAVID LEFKOWITZ
MAX J. MERRITT

The report was received and the recommendation referred to the incoming Committee on Religious Education.

Rabbi Simon, Chairman of the Committee on Religious Education, took the Chair.

Rabbi Julian Morgenstern presented his paper on "The Foundations of Israel's History." (Appendix G.)

Discussion (p. 287).

It was moved and carried that the Executive Board be requested to consider the advisability of having a supplementary paper next year giving a psychological interpretation of Israel's History.

It was moved and carried that a special session be held at 3:30 p. m.

The Conference adjourned.

THURSDAY AFTERNOON

The Conference convened at 3:30 o'clock, Rabbi Simon in the Chair.

The report of the Committee on Descriptive Catalog was read by the Chairman, Rabbi Zepin:

REPORT OF COMMITTEE ON DESCRIPTIVE CATALOG

To the Central Conference of American Rabbis,

GENTLEMEN: Many factors have combined to focus increased attention upon the subject of elementary Jewish education in America. Progress in Jewish science, made possible by the contributions of Jewish and non-Jewish scholars, has given us an enlarged content of Jewish education. Progress in educational philosophy and practice have placed the art of teaching upon a higher plane. The sharp contrast between the religious school and the public school has stimulated the interest of parents and ministers in solving the difficulties of this problem. In answer to this cry for improvement in religious education, institutions have been organized, publication societies have flourished, and religious organizations have taken many helpful steps in the right direction. The several seminaries graduating ministers make their lasting contribution to the solution of the problem each year. The two Teachers' Institutes, Graetz College of Philadelphia, and the Jewish Chautauqua Society, graduate a limited number of teachers. Of the four thousand teachers, including ministers, engaged in this work, about one thousand have adequate training. This is a hopeful condition considering our general state of disorganization. However, all this agitation for better religious schools has produced a still more far-reaching and wholesome result. It has developed a hunger for knowledge upon all matters pertaining to Jewish history, religion and literature. We are on the eve of an era which will see the popularization of a great mass of material which scholars have discovered. There is no doubt of the fact that the present awakening of Jewish learning will witness the production of much that is scientific and of permanent value, but unless Jewish knowledge becomes a popular passion, it will not reach great heights in the selected few. And a popular passion is a shallow passion.

In conformity with this general movement many religious schools have endeavored to gather collections of books which both pupils and teachers can consult. Being intended to serve so varied a purpose, it should not surprise us to find that Jewish novels as well as Hebrew dictionaries find a place in such collections. Another peculiarity of such collections is the frequency of Christian names among the authors. So great has been the demand for Jewish juvenile fiction that Christian writers have been attracted to this field. Of course, in the field of Bible knowledge, the well-known disparity between Jewish and Christian contributors is well known. This is enhanced by the fact that such libraries are usually confined to books in the English language. In the field of education, the Jewish writers with only a very few exceptions, have confined their efforts to the history of Jewish education. The field of text-books for elementary Jewish education has, by the very nature

of the case, been left entirely to Jews. It is a very significant fact, however, that there are few religious school libraries which do not contain samples of religious text-books written by non-Jews because some of these non-Jewish text-books are highly prized for their accurate Bible knowledge in popular style and for their superior pedagogical form.

Your Committee on Descriptive Catalog has been commissioned to select a number of books that should find a place in such a library, and to furnish for each title a short description of contents and a characterization that may enable the uninformed reader to determine the availability of a particular volume for his purpose. A list of this description is not intended for men with a professional training. This limitation is a law unto itself. The frequenters of religious school libraries as a rule read only English books. While many scientific volumes must be included in such a list, sometimes because certain chapters are quite popular and sometimes because these books are *sui generis*, the tendency is to exclude special studies and purely technical treatises.

The work of the Committee has progressed so far that it has amassed a list of about 450 selected titles. This list is submitted as part of this report, and with this list is submitted reviews of books contained therein. Inasmuch as it is intended that all the books be reviewed no attempt has thus far been made to star the books which are most important or those that are most readable. The Committee is of the opinion that this can best be done when the work of reviewing the books is completed. Another result that will be accomplished by the close scrutiny of these individual volumes is the elimination of many books which may be found useless for our purpose, although otherwise valuable, and the substitution of books better suited to the needs of the readers we have in mind.

The books selected can be grouped under four general subdivisions. We have 259 titles under the subdivision SOURCE BOOKS for all departments of Jewish learning. 76 titles under the subdivision EDUCATION. 100 titles under JEWISH TEXTBOOKS, and 92 titles under JEWISH FICTION. A more detailed analysis is as follows:

SOURCE BOOKS

Jewish Literature—Bible

Introductions to the Bible	8	titles
Commentaries on Bible	16	"
Bible Histories	32	"
Geography of Bible Lands	6	"
Bible Archaeology and other Aids to Bible Study	23	"
Bible Readers	5	"
Encyclopedias, dealing with Bible	11	"

General Jewish Literature

Histories of and Introductions to Jewish Literature	15	titles
Selections from Jewish Literature	11	"
Complete Texts	2	"

Judaism

History of Judaism	10	titles
Theology of Judaism	20	"
Rites of Judaism	4	"

Jewish History

General	11	titles
Special Periods	27	"
Jewish Biography	16	"
Travels	7	"
Sermons	7	"
Essays	11	"
Polemics (Modern)	9	"

EDUCATION

General History of Education	8	titles
History of Jewish Education	10	"
The New Psychology and Child Study	24	"
Religious Pedagogy	3	"
History of the Sunday School	3	"
Modern Sunday School Methods	18	"
Teacher Training	11	"

JEWISH TEXT BOOKS

Jewish History	30	titles
Judaism	21	"
Jewish Literature	7	"
Hebrew Readers	12	"
Jewish Hymn and Prayer Books	12	"
Texts for Adult Study Circles	17	"

JEWISH FICTION ..... 92 titles

The work that the members of the Committee have performed thus far has convinced them of the need for such a list of titles and of the value

of these annotations for teachers and inexperienced readers. In closing, the Committee submits the following recommendations:

I That the list of books submitted by the Committee be published with a preface, stating purpose and method of selection, and with a statement to the effect that the Conference neither condemns nor approves the books mentioned in the bibliography.

II That the Committee be enlarged so as to make the completion of the task possible within a reasonable time.

In explanation of this recommendation we beg to state the following: While the members of the Committee have found the work very pleasant, they have been somewhat startled by the dimensions of the task. At present the Committee consists of nine members, and the books to be reviewed number 469. Each man's quota is, therefore, 54 books. There is not a member of the Committee who has the leisure to review 54 books in one season or in two seasons. We therefore recommend that the Committee be enlarged so that the work may be completed within a reasonable period.

III That the Committee be reconstructed as follows:

(a) Catalog Commission of 4 members, one to take charge of each of the subdivisions mentioned above, Source Books of Jewish learning, Education, Jewish Text-Books and Jewish Fiction; this Commission to work out the limits of the problem and the nature of the books to be included and to edit the reviews.

(b) Separate Committees under the direction of the members of the Commission to assist in reviewing the books assigned them.

In explanation of paragraph (b), the Committee wishes to say that the size of these several committees is to be determined by the number of books to be reviewed. Thus there are 250 source books on the present list, but only 92 books of fiction.

(c) That this Commission and these Committees also, if thought desirable, should be continued from year to year so that those to whom the task is assigned may have some assurance that they will be permitted to finish the work.

Respectfully submitted,

GEORGE ZEPIN, *Chairman*
ABRAHAM CRONBACH
LOUIS I. EGELSON
HARRY W. ETTLESON
JACOB H. KAPLAN
DAVID LEFKOWITZ
EUGENE MANNHEIMER
JOSEPH RAUCH
GEORGE SOLOMON

The report was received with thanks and the recommendations taken up seriatim.

All recommendations were referred to the Executive Board, Recommendation III (c) with the approval of the Conference.

The report, as amended, was then adopted as a whole.

The Symposium on Character-building was then begun. The papers by Rabbi Rappaport, on "Character-building and Jewish History," and by Professor Buttenwieser, on "Character-building and Ethics," were read. (For the papers, see Appendix H.)

Upon motion, the Conference adjourned until 8:00 o'clock.

THURSDAY EVENING

The Conference reconvened at 8:15 o'clock, Rabbi Simon in the Chair.

The Symposium on character-building was continued.

Papers by Rabbi Deinard, on "Character-building and the Study of Hebrew"; by Rabbi Freund, on "Character-building and the Home"; by Rabbi Wolf, on "Character-building and Child Worship"; by Rabbi Levi on "Character-building and the Personality of the Teacher," and by Rabbi Rypins, on "Character-building and the Physical and Social Apparatus of the Religious School," were presented. (Appendix H.)

Rabbi Rosenau, Vice-President of the Conference, took the Chair. A telegram was received from Rabbi Stephen S. Wise, expressing his inability to attend the Conference. It was moved that the original program, which had been changed at the request of Rabbi Wise, who had been prevented from coming by illness in his family, be carried out. The motion was adopted.

The President announced the temporary committees of the Conference. (See page 15.)

Dr. Jacques Faitlovitch was then, upon motion, given the floor to speak in behalf of the Falashas.

At the conclusion of his remarks, a Special Committee, consisting of those members of the Committee on Jews of Other Lands who were present at the convention, and Rabbi Samuel Schulman, was appointed to consider the matter and devise some method of dealing with the Falasha problem, and to report back to this convention.

The Conference adjourned.

FRIDAY MORNING, JULY 2ND

The Conference convened at 9:50 o'clock.

The opening prayer was delivered by Rabbi Lovitch.

The report of the Special Committee on Local Teachers' Colleges was read, in the absence of the Chairman, by the Corresponding Secretary:

REPORT OF COMMITTEE ON LOCAL TEACHERS' COLLEGES

To the Central Conference of American Rabbis,

GENTLEMEN: In obedience to the request of the President, I submit some suggestions regarding the establishment of local teachers' colleges in metropolitan centers, recommended favorably by the Committee on President's Message (Recommendation IX) and authorized by the last convention.

There is but one college for teachers who desire to prepare to instruct in Jewish congregations of liberal tendencies. This is the Teachers' College in Cincinnati. This institution is doing excellent work and its new venture in offering a summer course in Chicago is a splendid forward step beyond local boundaries. The institutions contemplated by the recommendation referred to are meant to supplement the work of the Cincinnati Teachers' College, and in no way to compete with it. All national work should be left to the Cincinnati school and the other existing kindred agencies.

Of necessity, however, the Cincinnati Teachers' College can only attract local students, except during a summer course elsewhere, and even then, most persons desiring to equip themselves for religious school teaching cannot go to the expense and the trouble of traveling to its place of teaching, as long as religious teaching does not offer an independent livelihood. The school must be brought within daily reach of the students. For that reason we advocate the establishment of teachers' colleges in such populous Jewish centers, with large reform elements, as New York, Philadelphia and Chicago, and in time in other centers. In addition to the regular religious school teachers and the potential local teachers, there are in these metropolitan centers also many students in academic schools, schools of music, art and science from other cities who, after taking a course in religious training in the contemplated colleges, would, upon going back to their home cities, act as missionaries of Jewish education.

The practical problems connected with the establishment of such colleges ought to offer no special difficulties. I have no doubt that any of the large temples in the cities named will gladly put their buildings at the disposal of such schools and will perhaps make no charge for heating, lighting and other incidentals. The only expenses will be, at the beginning at least, those involved in instruction and administration.

The instruction should, at the outset, be held either late in the afternoon or at night, so as to permit school teachers to enroll as pupils and professional teachers of pedagogy, hand in hand with rabbis and social workers and other instructors, to direct classes when convenient for them. I think classes ought to be conducted four or, at least, three days a week, allowing the students the option, to be sure, of choosing as many courses as their other duties will permit. These courses should not be light and dilettante in nature, as such classes command no respect and obtain no appreciable results. Neither should they be associated, except very occasionally, with the popular lecture method, which, in its attempt to interest the curiosity and thrill-seeking public, leaves neither knowledge nor inspiration to the vitally interested. What we should aim at is real, thorough class work, intimate in method as between teachers and pupils, and thorough in achievement. The teachers should, however, be so selected, that some of them at least can offer and will offer inspiration as well as information.

In addition to rabbis, who should form the backbone of the staff of each such college, there should be called into service the finest persons who combine in themselves Jewish lore with pedagogical and inspirational powers. I cannot urge too strongly that the caliber of the teachers of such colleges must be high from an intellectual, as well as an ethical, point of view. Our religious school teachers must drink in an ideal atmosphere emanating from Jewish loyalty, Jewish knowledge and humanitarian vision, to be properly equipped to mould the raw material of Jewish childhood along the lines of beauty and holiness.

In addition to courses in Jewish history, literature and life of ancient and modern days, courses in pedagogy as applied to religion, philanthopic effort as applied to religion, etc., ought to be offered. Educators and social service experts and people who have achieved as volunteers, should be called in for special courses of this kind. Material is ample in all the large cities.

From some of these, services can no doubt be had gratis, others will have to be compensated in moderate amounts. In dealing with busy people for periodically recurrent services, it is well to give some compensation to insure responsibility.

A partially paid director, preferably a rabbi, should act as organizer and principal of the school. A man should be selected who is not associated with any particular faction in local affiliations; one, too, who is in close touch with the best spirit of the times. He should strive to get the good-will and co-operation of all liberal rabbis and workers and congregational leaders of the city.

Co-operation and participation should be invited of friendly disposed existing national and local Jewish educational agencies. It might be advisable to put one of the schools under the auspices of one of these agencies, the Conference retaining part control in the shaping of the policies. It seems advisable that such schools should be under the direct control of this Conference or under delegated control of a local rabbinical association, wherever circumstances warrant.

Maintenance expenses should be paid from funds contributed by local congregations, which should contribute according to ability or according to benefit (using the scholarship method), by the Conference or Union of American Hebrew Congregations and by private endowment, or from a fund secured by special collection and administered by the Conference.

I believe such colleges would raise the standard of Jewish education considerably in the large cities and ultimately react beneficially on the entire country.

Respectfully submitted,

EPHRAIM FRISCH

The report was received and referred to the Executive Board.

An amendment to Article II, Section 4, of the By-Laws was introduced to make said section read as follows:

"The Committee on Nominations shall submit not less than two names for all officers specified in Article VI, Section 1, of the Constitution, except President, to be voted on at the concluding session of each convention."

A vote being taken, the amendment was lost.

A paper on "The Harmonization of Jewish and Civil Laws of Marriage and Divorce," prepared by Rabbi Kaufman Kohler, was, in his absence, read by Rabbi Lauterbach. (Appendix I.)

Another paper on the same subject was read by Rabbi Simon. (Appendix J.)

During the reading of Rabbi Simon's paper, the Vice-President, Rabbi Rosenau, presided.

FRIDAY EVENING.

The Conference assembled for divine service in the Assembly Hall of the Inn. The evening service for the Sabbath from the Union Prayer Book was read by Rabbi Louis Witt. The Conference lecture was delivered by Rabbi David Lefkowitz (Appendix B), and the benediction by Rabbi Maurice H. Harris.

The responses were sung by a choir composed of members of the Conference.

SATURDAY MORNING, JULY 3RD

The Conference assembled for divine services. The Sabbath morning service from the Union Prayer Book was read by

Rabbi Bottigheimer. Rabbi Wolsey read the weekly portion from the Torah. The Conference sermon was preached by Rabbi Rubenstein (Appendix C). The benediction was pronounced by Rabbi Coffee.

SUNDAY MORNING, JULY 4TH

The Conference was called to order at 10:00 o'clock.

The opening prayer was delivered by Rabbi Egelson.

The report of the Committee appointed to edit the manuscript of the Minister's Handbook, was read by the Chairman, Rabbi Rosenau:

REPORT OF THE COMMITTEE ON MINISTER'S HANDBOOK

To the Central Conference of American Rabbis,

GENTLEMEN: The Committee appointed to edit the manuscript of the Minister's Handbook, which was presented at the Detroit convention, Wednesday, July 1, 1914, begs leave to report:

The Editorial Committee met in Baltimore, Tuesday, May 25th and Wednesday, May 26th. It has carefully revised the material submitted last year by the Committee on Minister's Handbook and offers said material to the Conference in the accompanying form.

In conclusion the Committee begs to state that all Biblical passages found in the revised form of the manuscript of the Minister's Handbook, will have the rendering of the translation of the Bible now being prepared by the representatives of the Central Conference of American Rabbis and of the Jewish Publication Society of America.

Respectfully submitted,

WILLIAM ROSENAU, *Chairman*
EDWARD N. CALISCH
DAVID PHILIPSON
SAMUEL SCHULMAN

The report was received.

Rabbi Rosenau—Each member of this Editorial Committee received a copy of the original manuscript prepared by the Committee appointed two years ago, with the request that they forward to me suggestions as to changes which they thought should be made. The Editorial Committee, with the exception

of Dr. Kohler, met at Baltimore and unanimously adopted the service contained in the manuscript which I herewith submit. A few days ago Dr. Kohler sent me a number of notes, which he designated a minority report. It is an expression of his opinion of the revised manuscript. It seems to me that the Conference should accept this manuscript and give such instructions as it sees fit.

Rabbi Philipson—There is only one way in which we will ever get a Minister's Handbook, and that is to adopt the same method pursued when the Union Prayer Book was prepared. The Committee submitted its report and the report was accepted. If we had examined every line, we would not have secured a prayer book in years. This report should be mimeographed and, with a copy of Dr. Kohler's report, sent to every member of the Conference. With the answers in hand, the Editorial Committee should be empowered to bring out the book. This Committee could make its report to the Executive Board and if they approve of the work, they could have it printed.

Rabbi Stolz—I think we should take the same course with this book that we have pursued with all previous productions of the Conference. When the Editorial Committee has prepared its material and submitted it to the members and received the suggestions of the members, the manuscript should be revised and presented to the Conference for final adoption. It should not be the book of a Committee or of the Executive Board, but of the Conference as a whole.

It was moved and carried that the Committee be instructed to send copies of the manuscript to every member of the Conference; that the members be allowed until December 1st to return suggestions and criticisms to the Committee; that the Committee shall take these suggestions and criticisms under consideration and send a revised copy of the manuscript to each member of the Conference not later than one month before the next convention; that the Committee shall submit this revised manuscript to the next convention for final action.

Papers commemorating the centenaries of Rabbi Samuel Hirsch and Rabbi Max Lilienthal were read respectively by Rabbi Maurice Lefkovits (Appendix E), and Rabbi David Philipson (Appendix F).

Comments on and interesting personal reminiscences of these men were given by Rabbis Coffee, Deutsch, Heller and Stolz.

It was moved and carried that when the Conference adjourns, it should reassemble at 4:00 p. m.

The report of the Committee on Responsa was, in the absence of its Chairman, read by Rabbi Rauch. The report was signed only by the Chairman, Rabbi Kohler.

Rabbi Lauterbach—In a report of this character, the authority should be given for every decision so that the younger rabbis may see the development of the ideas involved. The answers should show on what basis the responsa were given.

Rabbi Philipson—If the work of the Committee on Responsa is to have value, the report should be submitted to every member of that Committee. I would suggest that this report be referred back to Dr. Kohler with the request that it be submitted to all the members of the Committee so that a unanimous report may be brought in next year and that the Committee should formulate some principle which shall guide them in their work.

The Chair—The report is not signed by the members of the Committee. Therefore I think it would be best to refer it back to the Committee. The incoming Executive Board will communicate with Dr. Kohler giving him the sense of the Conference in regard to the Committee on Responsa and suggest a form in which the report shall be presented.

It was moved and seconded that the report be referred back to the Committee, so that the sources of the various opinions cited may be added. The motion was carried.

The report of the Committee on Sermonic Literature was then presented by the Chairman, Rabbi Samuel Hirshberg.

REPORT OF COMMITTEE ON SERMONIC LITERATURE

To the Central Conference of American Rabbis,

GENTLEMEN: The Committee on Sermonic Literature, through its Chairman, formally reports that it prepared in season for the last high holidays and transmitted to the Department of Synagog and School Extension of the Union of American Hebrew Congregations, the usual pamphlet of eleven holiday sermons. It would herewith express its thanks to all the rabbis who contributed to the pamphlet, and to the Department of Synagog Extension and its Director for their valuable services in distributing the pamphlets, so that they might reach the clientele for which they are primarily intended and to which they might be most helpful.

The Chairman of the Committee regrets exceedingly that because of the dilatoriness of several colleagues, he is not able to announce at this time, as he was at the corresponding time last year, the readiness, in printed form for due distribution, of this year's pamphlet.

Despite the fact of an early issuance—as early an issuance as that of last year—of requests for sermons, and repeated reminders to and promises from, members, of sermons, he has had to contend with more than the usual annoying delay—a delay still persisting in two instances, and extending in several others over a period of more than four months,—in fulfilling promises, confidently depended upon, to furnish the sermons at an early date.

The Chairman, on behalf of future Chairmen of this Committee, would accordingly earnestly appeal to the members of the Conference for more considerate and conscientious promptitude in answering communications, and especially, in keeping engagements to furnish sermons.

The Chairman has carefully considered the several recommendations presented in various reports at this session of the Conference with regard to the securing of material, the publication and distribution of the holiday sermon pamphlets as also the holiday press notices—recently assigned to this Committee by the President of the Conference—but is at present without any suggestion of likely value with reference to them.

Respectfully submitted,

SAMUEL HIRSHBERG, *Chairman*
SEYMOUR G. BOTTIGHEIMER
LOUIS J. KOPALD
AARON L. WEINSTEIN

The report was received with thanks and upon motion adopted.

It was moved and carried that sermons on "Peace" and on "Relief for Jewish War Sufferers" be included in the forthcoming pamphlet of sermons.

The Conference adjourned.

SUNDAY AFTERNOON

The Conference reassembled at 4:15 o'clock.

Rabbi Stolz reported for the Special Committee on Bernhard Bettmann Memorial Resolutions (Appendix D).

The report was adopted by a rising vote.

Upon motion, Recommendation II in the report of the Finance Committee was referred to the Executive Board.

The report of the Committee on Tracts was read by the Chairman, Rabbi Heller.

REPORT OF COMMITTEE ON TRACTS

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Tracts begs leave to report that the Tract Commission, which was to be the successor of the Tract Committee, has not yet had an opportunity of meeting. The carrying out of this plan necessarily awaited the action of the Union of American Hebrew Congregations at its January council. While the plan of a joint Tract Commission received the approval of the January council of the Union, several months elapsed before the President of the Union received the acceptances of the members whom he appointed.

When your Committee was appointed, several unfinished tasks were placed in his hands. Those tasks were not pursued because it was thought by the Committee that they should be turned over to the new Tract Commission. Among these various plans, which it is the intention of the Tract Committee to carry out and to present to the Commission, are the following:

1. The Committee plans a meeting in the early Fall.
2. The reprinting of Tracts I and II.
3. The Committee is in receipt of a proposition from the *Yiddishe Tageblat* offering to translate some of our tracts into Yiddish for publication in that paper and for subsequent publication in tract form.
4. The appointment of a sub-committee to prepare a list of suitable subjects for tracts.
5. The Committee takes this opportunity of requesting all members of the Conference to make suggestions to the Chairman of this Committee with reference to subjects for tracts.
6. The Chairman of the Committee has been requested by the President of the Union to act as temporary Chairman of the Commission until that body organizes and elects its own officers.

In closing, your Committee endorses the recommendation of the
I report of the Finance Committee that the Tract Commission be requested
to undertake, in connection with the publication of tracts, the task of publication and distribution of the annual sermon pamphlet, the holiday notices and the annual calendar. This necessarily involves the compilation of the
sermon pamphlet. It would therefore be advisable, if this recommenda-
II tion be adopted, that some person, thoroughly acquainted with this
work, be made one of the Conference representatives upon the Tract Commission, and that the present Committee on Holiday Sermons be discontinued.

Inasmuch as this action involves an amendment to the By-Laws
III of the Constitution, your Committee offers such amendment. However,
until the Tract Commission shall have accepted this recommendation the Committee on Sermonic Literature should continue to act.

Respectfully submitted,
MAX HELLER, *Chairman*
H. G. ENELOW
JULIAN MORGENSTERN
GEORGE ZEPIN

The report was received. Recommendations I and II were referred to the Executive Board to decide whether the publication and distribution of sermonic literature, tracts and holiday calendars will be under the control of the Tract Commission or Sermonic Literature Committee.

No action was taken on Recommendation III in regard to the proposed amendment to the By-Laws, pending action of the Executive Board.

It was moved and carried that the Committee on Sermonic Literature be requested to ascertain and report to what extent use is made of the volumes of sermons published yearly by the Conference.

The report of the Committee on Summer Services was read, in the absence of the Chairman, by the Corresponding Secretary.

REPORT OF COMMITTEE ON SUMMER SERVICES

To the Central Conference of American Rabbis,

GENTLEMEN: Preparatory to the fifth season of summer services propaganda, the Bureau of Summer Services, conducted jointly by the Central Conference of American Rabbis and the Department of Synagog and School

Extension, issued a circular letter to the rabbis belonging to this Conference and others, enlisting their co-operation as in previous years. The letter was signed by the members of the Summer Services Committee. The Bureau also announced that prayer books and hymnals would be furnished free of charge to communities conducting summer services.

The Department of Synagog and School Extension furnished the Bureau of Summer Services with two workers, Rabbis I. E. Marcuson and Jacob D. Schwarz, who made it their business to organize the numerous communities of Michigan and Wisconsin. This arrangement included the services of Rabbi Louis Gross, of Akron, Ohio, who was situated at the University of Chicago for the summer, and from that point directed the supply of vacant summer pulpits.

Rabbi I. E. Marcuson took up his residence for the summer in Oden, Mich., and from that point visited and corresponded with various summer resorts in Michigan, for the purpose of instituting services. Services were held at Mackinac Island, Oden, Petoskey, Charlevoix, Frankfort, Lake Harbor, Ottawa Beach. Rabbi Schwarz took up the same work in Wisconsin, but without any definite headquarters. Before beginning his work he organized the base of supplies in Chicago, under the direction of Rabbi Gross and under the general supervision of Rabbi Tobias Schanfarber, Chairman of the Committee on Summer Services for the Central Conference of American Rabbis. A number of rabbis, pursuing studies at the University of Chicago, offered their gratuitous services for this work. Rabbi Schwarz installed services at Elkhart Lake, Brown's Lake, Cedar Lake, and visited other points where the paucity of numbers made religious services impossible last season. Besides the communities organized directly through the efforts of the Bureau of Summer Services, a number of others were organized by visiting rabbis and were supplied with prayer books and hymnals by the Bureau.

As a result of these efforts and with the assistance of a number of laymen at the various resorts, services were held at the following summer resorts:

TABULATED REPORT OF SUMMER SERVICES, 1914

Where Held	No. of Services	Rabbis Officiating
Asheville, N. C.	8	Rabbi Emanuel Sternheim, Baton Rouge, La. Rabbi Morris Lazaron, Wheeling, W. Va.
Atlantic City, N. J. (Jewish Seashore Home)	13	Rev. William Armhold, Philadelphia, Pa.
Brown's Lake, Wis.	5	Rabbi Louis D. Gross, Akron, O. Rabbi Felix A. Levy, Chicago, Ill. Rabbi David Rosenbaum, Austin, Tex. Rabbi Jacob D. Schwarz, Cincinnati, O.
Cedar Lake, Wis.	5	Mr. Julius Leibert, Cincinnati, O. Rabbi Charles S. Levi, Milwaukee, Wis.

Where Held	No. of Service	Rabbis Officiating
		Rabbi Jacob D. Schwarz, Cincinnati, O.
		Rabbi Abba H. Silver, Cincinnati, O.
Charlevoix, Mich.	7	Rabbi Leo M. Franklin, Detroit, Mich.
		Rabbi Louis D. Gross, Akron, O.
		Rabbi Leon Harrison, St. Louis, Mo.
		Rabbi J. Leonard Levy, Pittsburg, Pa.
		Rabbi Isaac E. Marcuson, Charleston, S. C.
		Rabbi Julian Morgenstern, Cincinnati, O.
Elkhart Lake, Wis.	5	Rabbi Emanuel Gerechter, Appleton, Wis.
		Rabbi Meyer Lovitch, Ft. Wayne, Ind.
		Rabbi Martin Zielonka, El Paso, Tex.
Fabyan House, White Mountains, N. H.	8	Rabbi Joseph Silverman, New York City
Frankfort, Mich.	9	Rabbi David Neumark, Cincinnati, O.
Kamp Kohut, Me.	1	Rabbi Edward N. Calisch, Richmond, Va.
Kennebunkport, Me.	7	Rabbi Bernard C. Ehrenreich, Montgomery, Ala.
Lake Harbor, Mich.	6	Rabbi Louis D. Gross, Akron, O.
		Rabbi Emil W. Leipziger, New Orleans, La.
		Rabbi Aaron L. Weinstein, Davenport, Ia.
Long Branch, N. J.	13	Rabbi Barnett A. Elzas, New York, N. Y.
Mackinac Island, Mich.	5	Rabbi Leo M. Franklin, Detroit, Mich.
		Rabbi Louis D. Gross, Akron, O.
		Rabbi Mayer Messing, Indianapolis, Ind.
		Rabbi Julian Morgenstern, Cincinnati, O.
		Rabbi S. Wolfenstein, Cleveland, O.
Ocean View, Va.	4	Rabbi Harry A. Merfeld, Columbus, S. C.
Oden, Mich.	6	Rabbi Kaufman Kohler, Cincinnati, O.
		Rabbi Isaac E. Marcuson, Charleston, S. C.
		Rabbi Julian Morgenstern, Cincinnati, O.
Ottawa Beach, Mich.	6	Rabbi Louis Bernstein, St. Joseph, Mo.
		Rabbi Jacob H. Kaplan, Terre Haute, Ind.
		Rabbi Alfred G. Moses, Mobile, Ala.
		Rabbi Elkan Voorsanger, Grand Rapids, Mich.
Pen Mar, Pa.	2	Rabbi Charles J. Freund, Harrisburg, Pa.
Petoskey, Mich.	6	Rabbi Louis Bernstein, St. Joseph, Mo.
		Rabbi Jacob H. Kaplan, Terre Haute, Ind.
		Rabbi Lee J. Levinger, Paducah, Ky.
		Rabbi Morris Newfield, Birmingham, Ala.
		Mr. Samuel Ullman, Birmingham, Ala.
Remlik, Va.	8	Rabbi Adolf A. Guttmacher, Baltimore, Md.
Tripp Lake Camp, Me.	1	Rabbi Edward N. Calisch, Richmond, Va.
Waupaca, Wis.	16	Rabbi Joseph Stolz, Chicago, Ill.

SUMMARY

In 1914, 39 rabbis held 141 services at 21 places.

At most of the summer resorts, collections were made by the resorters to defray the trifling expenses necessary for the maintenance of the services. In many instances the surplus was sent to the Union of American Hebrew Congregations, and in two cases to the Superannuated Ministers' Fund of the Central Conference of American Rabbis.

The summer resorts where these contributions were made were Charlevoix, Mackinac, Oden and Ottawa Beach in Michigan, and Brown's Lake, Cedar Lake and Elkhart Lake in Wisconsin.

THANKS OF THE COMMITTEE

Your Committee tenders its thanks to the individual rabbis who helped in any way to make a success of this year's Summer Services campaign. Without these self-sacrificing services, granted freely and without the thought of remuneration, it would be impossible to hold summer services.

The Committee also acknowledges its indebtedness to the Department of Synagog and School Extension, which has, at its own expense, performed the actual work of organization and conducted the details of a trying correspondence for the purpose of supplying 51 pulpit vacancies in a period of five or six weeks. Every detail of gathering the news items and conducting the campaign of publicity was conducted in the office of the Department of Synagog and School Extension. Collections made at various resorts, resulted in a gift of $129.35 to the Superannuated Ministers' Fund of the Conference.

Your Committee begs to express its appreciation of the encouragement which it received from the officers of the Conference and of the uniform courtesy with which they have responded to repeated requests for prayer books and hymnals.

RECOMMENDATION

We realize that the expense of prayer books and hymnals is considerable, and have been glad to receive from the Conference as many as it could spare for this purpose. Those received this year, with those left over from previous years, less those lost and sold, equal 316 Friday and Saturday Services and 57 Hymnals, old edition.

Last season we held services in 21 summer resorts. Many communities have an attendance of several hundred, but the average total Sabbath attendance was about 2,000. This season we would like to be enabled to hold services in many more cities. We have found it impossible to induce many of our coreligionists to take their prayer books to summer resorts. To supply this attendance adequately would take 2,000 prayer books and as many

hymnals, for congregational singing is much favored at these services. This is practically impossible on account of the cost. It would be manifestly unjust to expect the Department of Synagog and School Extension to purchase that many books from us for this purpose. We are, however, in a position to state that the Department of Synagog and School Extension is willing to reprint in pamphlet form and at *its own expense* both Friday Evening and Saturday Morning Services, together with a few of such hymns and responses as are intended for congregational singing for the use of this Bureau of Summer Services. We recommend that the Conference grant permission to the Department of Synagog and School Extension to reprint at its own expense such parts of the prayer book and hymnal as are needed for this purpose.

Respectfully submitted,

TOBIAS SCHANFARBER, *Chairman*	JULIUS NEWMAN
LOUIS I. EGELSON	FRANK L. ROSENTHAL
G. GEORGE FOX	LEONARD J. ROTHSTEIN
LOUIS D. GROSS	JACOB D. SCHWARZ
THEODORE F. JOSEPH	M. SESSLER
SOL L. KORY	MICHAEL G. SOLOMON
DAVID LEVY	ADOLPH SPIEGEL
LEO MANNHEIMER	JOSEPH HENRY STOLZ
ELI MAYER	AARON L. WEINSTEIN
MORRIS NEWFIELD	GEORGE ZEPIN

The report was received and action deferred until the Special Publications Committee had reported.

The report of the Committee on Revision of the Union Prayer Book was read by the Chairman, Rabbi Philipson.

REPORT OF COMMITTEE ON REVISION OF THE UNION PRAYER BOOK

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Revision of the Union Prayer Book begs leave to report progress in the work. By authority of the Executive Board, the President of the Conference appointed the four Cincinnati members of the Revision Committee, a sub-Committee. This sub-Committee has had many meetings. At these meetings the two volumes of the prayer book were subjected to a minute and thorough examination with a view to revision in accordance with the resolution adopted at the Detroit convention in 1914, to the effect "that the revision should be more than verbal, but should retain, as far as possible, the structure and framework of the present book." The sub-Committee agreed upon a number of general and detailed suggestions which were sent to each member of the Committee for his consideration. Several members of the Committee returned this report of the sub-Committee with suggestions of their own.

The sub-Committee then held a number of further sessions at which all these suggestions were submitted. A second lengthy report was drawn up as a result of these deliberations in which every suggestion made by the members of the Committee, together with some additional suggestions by the sub-Committee, was tabulated. This second report was also sent to each member of the Committee.

This preliminary work, which has entailed much time and labor, will, we believe, make it possible for the full Committee to expedite the work and be ready to report to the Conference next year. The full Committee expects to hold sessions here in Charlevoix immediately upon the adjournment of the Conference.

Respectfully submitted,

DAVID PHILIPSON, *Chairman*
HENRY ENGLANDER, *Secretary*
MAURICE H. HARRIS
LEON HARRISON
MAX HELLER
KAUFMAN KOHLER
JULIAN MORGENSTERN
ISAAC S. MOSES
WILLIAM ROSENAU
SAMUEL SCHULMAN
JOSEPH STOLZ

It was moved and carried that the Committee on Revision of the Union Prayer Book shall be given power, subject to the approval of the Executive Board, to send out to all members of the Conference an outline of suggested corrections and amendments or the complete revised text of the Prayer Book.

It was moved and carried that the expenses of this Committee, while in session at Charlevoix during the week following the convention, shall be paid by the Conference.

The report of the Committee on Synagog Music was presented by the Chairman, Rabbi H. H. Mayer.

The report, being signed only by the Chairman, was referred back to the incoming Committee on Synagog Music for further consideration.

The specially bound complimentary copies of the Union Hymnal, voted by the Detroit convention to the members of the Committee on Synagog Music in recognition of services rendered in the preparation of the new Union Hymnal, were then presented by the President to the following members of the Committee, Rabbi Harry H. Mayer, Chairman; Rabbi Harry W. Ettleson, Rabbi Maurice H. Harris, Rabbi David Marx, Rabbi F. De Sola Mendes, Rabbi Jacob Singer, Rabbi Nathan Stern.

It was moved and carried that the copy prepared for Rabbi Israel Aaron, deceased, be sent to his widow.

The report of the Special Committee on Contemporaneous History was presented by the Chairman, Rabbi Deutsch.

REPORT OF SPECIAL COMMITTEE ON CONTEMPORANEOUS HISTORY

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee recommends that resolutions, conveying good wishes on occasions of joy, such as the attainment of seventieth birthdays, or expressing sympathy in case of death, be restricted to Jewish men and women who had identified themselves with the cause of Judaism and to both Jews and non-Jews who had distinguished themselves in Jewish literature or had otherwise rendered signal service to the Jewish community.

Respectfully submitted,

GOTTHARD DEUTSCH, *Chairman*
HYMAN G. ENELOW
MAX HELLER
ISAAC LANDMAN
MEYER LOVITCH
CHARLES A. RUBENSTEIN
SAMUEL SCHULMAN

The report was received and adopted.

It was moved and carried that the temporary Committee on Memorial Resolutions, which it had been customary to appoint for each convention, be dispensed with.

The report of the Special Committee on the Falashas was read by the Chairman, Rabbi Lauterbach.

REPORT OF SPECIAL COMMITTEE ON FALASHAS

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee recommends the postponement of all action until we have further definite information. And the Committee further recommends that the incoming Executive Board obtain such information.

Respectfully submitted,

JACOB Z. LAUTERBACH, *Chairman*
GOTTHARD DEUTSCH
LOUIS GROSSMANN
HARRY H. MAYER
WILLIAM ROSENAU
SAMUEL SCHULMAN
MARTIN ZIELONKA

The report was received, and the recommendations adopted, with the amendment that the Executive Board be authorized to send to each member of the Conference a report of the result of their investigation should they deem it expedient.

The recommendation contained in Rabbi Simon's paper on the Harmonization of Jewish and Civil Marriage and Divorce Laws that a Commission of five be appointed in place of the present Committee was taken up for consideration.

Rabbi Lauterbach—What is desired is that this subject shall be presented in full detail. We do not want a summary; we need an exact presentation of Jewish Marriage Laws as historically developed. This Commission should propose some definite rules which should be sent out to all the members of the Conference.

Rabbi Schulman—At last we have received an intelligent and comprehensive presentation of the Jewish law, and a good collation of the State and Federal laws. Emphasis has been laid on the ethical character of certain specific Jewish laws which it is our duty to maintain even when the act is permitted by the civil law. We have the material. And it will be the duty of this Commission to sift this material and present recommendations, which shall state the standpoint of this Conference with reference to laws on marriage and divorce.

Rabbi Philipson—There has not been a rabbinical conference in the nineteenth century in which this same question has not come up, and yet nothing practical has been accomplished. Let us do something of permanent value. There is a movement on foot among the other churches to do something along this line. Let us get into communication with the leaders of this movement and inform them that the Jewish law has much of value to contribute. Our own men also need help; in many cases the State laws permit things which are forbidden by the Jewish law. The Conference should go on record, and the members would have something for their guidance.

It was moved and carried that the President, subject to the approval of the Executive Board, shall appoint a Commission

on the Harmonization of Jewish and Civil Laws of Marriage and Divorce, to take the place of the present Committee on the Harmonization of Marriage and Divorce Laws, which Commission shall prepare an abstract of the papers presented on this subject, formulate rules for the guidance of the members and send a copy thereof to each member of the Conference.

It was furthermore moved and carried that the recommendations contained in the paper of Rabbi Kohler on the Harmonization of Jewish and Civil Laws of Marriage and Divorce be referred to this newly created Commission.

Rabbi Kornfeld, Corresponding Secretary of the Conference, asked to be excused from further attendance at the convention on account of other imperative engagements. The thanks of the Conference was extended to Rabbi Kornfeld, by a rising vote, in appreciation of his excellent services as Corresponding Secretary during the past two years.

The Conference adjourned.

SUNDAY EVENING

The Conference reassembled at 8:15 o'clock, the Vice-President, Rabbi Rosenau, in the Chair. The opening prayer was delivered by Rabbi Weinstein.

Rabbi Morgenstern was appointed to act as Corresponding Secretary in the absence of Rabbi Kornfeld.

The report of the Committee on Dependents, Defectives and Delinquents was read by the Chairman, Rabbi Bernstein.

REPORT OF COMMITTEE ON DEPENDENTS, DEFECTIVES AND DELINQUENTS

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Dependents, Defectives and Delinquents held a meeting in Chicago during the sessions of the convention of the Union of American Hebrew Congregations. It was then decided that, inasmuch as the duty of this Committee had never been defined, the efforts of the Committee should be directed toward making a survey of the entire field. Your Chairman attempted to do this but found, with the limited machinery at his disposal, that the task presented insurmountable difficulties.

There are thousands of institutions in the country and, in each instance, to gain the statistical information necessary would require at least one letter and in most instances many more. When the fact is considered that the Chairman finds it difficult to receive an answer to his communications from some of the members of his Committee, how much more difficult is the task when we are attempting to receive information from the wardens of prisons and superintendents of other institutions, to whom an answer would mean a careful searching of records.

Finding it impossible to communicate directly with the many institutions of the land, your Chairman wrote letters to some of the agencies already in the field doing a similar work. In some instances replies were received containing no information, and in others but meager facts were given. Two agencies, however, stand out pre-eminently as being the best equipped for carrying on the work in this particular field of social endeavor. One of these is the Department of Synagog and School Extension of the Union of American Hebrew Congregations. Referring to its recent welfare work, Rabbi George Zepin informs me that their inquiry has covered about 228 institutions, which consisted of county, state and federal penal and correctional institutions.

109 of these institutions reported the presence of Jewish inmates.

49	institutions	contained	from	1	to 5	prisoners
20	"	"	"	6	to 10	"
23	"	"	"	11	to 25	"
10	"	"	"	26	to 100	"

4 over 100 each.

These figures are somewhat startling, though, if percentages were given, we should find that in proportion to the population we had by no means as many delinquents as our brethren of other faiths; and, if the reason of incarceration were given, we should further find that, in most instances, the offenses were not as serious as in the case of other criminals. These facts would be valuable as a weapon with which to refute the statements of such men as Professor Ross[1], who because of the important position which he occupies as professor of sociology in one of our leading Universities, and because of the prominence of the magazine[2] in which his article appeared, causes much greater credence to be given to his statements than they would otherwise deserve; but at the same time we cannot but feel that the time has long been ripe for concerted, united and systematic effort to be made to decrease, as far as in our power lies, this number of inmates of penal institutions.

The right step has been taken and the supervisor of each district has been informed of conditions in his district, and every penal and correctional institution in which there are Jewish inmates has been assigned to the nearest rabbi for such work as can be performed there. This work consists of holding

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[1] *The Old World in the New*—Edward Alsworth Ross.

[2] *Century Magazine*, Sept., 1914. P. 785ff. *The Hebrews of Eastern Europe in America.*

services, conducting classes, securing the privilege of observing Jewish holidays and performing such acts of personal friendship as the regulations of the institution permit. We are informed that a considerable sum of money will be placed at the disposal of the supervisor the more efficiently to carry out this plan during the coming season.

Notable indeed is the most recent action in this field of social endeavor by the Independent Order of Bnai Brith at its quinquennial convention held during the month of May in San Francisco. An inspiring address was given by the Chairman of the Social Service Committee of District Grand Lodge No. 2, Mr. Jacob Billikopf, of Kansas City, of which Committee your Chairman is a member. So systematic and so efficient has been the work of that Committee, largely due to the splendid, sympathetic outlook of its Chairman, and to his indefatigable and able efforts that the Executive Committee was instructed by the unanimous vote of the delegates present, to make this work one of the main efforts of this great international brotherhood during the coming five years. An expert sociologist is to be secured, who shall devote his entire time and attention to promoting social service work throughout the country, paying special attention to the work for which your Committee was organized. As far as possible the work will be preventive, stressing the big brother movement, assisting juvenile courts and co-operating with the organized philanthrophic work of communities in which federated charities exist. Twenty-five thousand dollars was appropriated for this purpose, and it is expected that through the co-operation of the several organizations now attempting to do similar work, it will be but a short time when we shall have not only accurate statistics, but when every institution in the country of a penal or charitable nature, in which there are Jewish inmates, shall be under the direct supervision and care of some sympathetic and high-minded person, who shall aid in restoring to useful manhood and to decent citizenship those who have been unfortunate in one way or another.

Mindful of the fine effort that is being put forth by these two institutions, the one national, the other international, in its membership, your Committee believes that the scope of its work must be clearly defined, so as not to interfere with the systematic, scientific effort of the trained social workers who will now be engaged.

Last year we recommended, and the recommendation was unanimously adopted, that the country be districted in accordance with the plan of the Department of Synagog and School Extension, and that their district supervisors be selected to represent the respective districts on this Committee. Inasmuch as the supervisor in each instance is a member of this Conference, and as the institutions in his district, in which there are Jewish inmates, are to be referred to him in accordance with the facts outlined in the beginning of our report, we, therefore, recommend:

I That if this Committee is to continue as a standing Committee of the Conference, it be made up of the district supervisors of the Department of Synagog and School Extension, who may choose such helpers as they deem necessary for the proper performance of their labors.

II That we express to the Department of Synagog and School Extension and to the Bnai Brith our commendation of their undertakings, and that we request our Committee on Cooperation with National Organizations to ascertain what part of the work we, as a Conference of Rabbis, can best carry out.

All of which is respectfully submitted,

LOUIS BERNSTEIN, *Chairman*
EMIL W. LEIPZIGER

The report was received and the recommendations were taken up seriatim.

The President, Rabbi Gries, takes the Chair.

Recommendation I was referred to the Executive Board.

Rabbi Charles S. Levi—If other organizations, more thoroughly equipped, are doing the same work as this Committee, why continue the Committee?

Rabbi Schulman—It would be better to retain the Committee. We ought to let the country know that we are interested in this work of improving conditions in penal institutions, and that we have a standing Committee for this work.

The Chair—If any other organization can and will do the work better, we ought to be glad to let them. We have done pioneer work when others hesitated to act. All we want to be sure of is that the work will be well cared for.

Rabbi Rudolph Grossmann—We, as rabbis, are particularly interested in the religious side of this work among criminals. We can safely leave the social service and welfare work to other organizations, but the religious work is what should appeal to us and secure our attention.

Recommendation II was referred to the Committee on Cooperation with National Organizations, with the instruction that this Committee report to the Executive Board what work they find the Conference can do in this field.

The report was then adopted as a whole.

Rabbi Abraham Cronbach presented a paper on Judaism and Social Justice, Historically Considered. (Appendix L.)

The report of the Commission on Social Justice was then presented by the Chairman, Rabbi Foster.

REPORT OF THE COMMISSION ON SOCIAL JUSTICE

To the Central Conference of American Rabbis,

GENTLEMEN: During the past year your Commission on Social Justice and the Committee on Synagog and Industrial Relations held five meetings in New York City, namely, February 8th, March 2nd, April 19th, May 24th, and June 4th. It was at once recognized by the members of the Commission that its task was so tremendous and its responsibility so serious as to make it impossible to hope to do more than present for this year a small part of a large program which shall develop from year to year.

The Commission has begun an investigation of certain phases of Social Justice in the industrial world. Although the members have studied the questions of Social Insurance and Pensions, the Minimum Wage, the Settlement of Industrial Disputes, and the Cooperative System of Industry, it is deemed best to report this year only on the following phases of the subject of Social Justice, namely, Child Labor, Housing Reform, Regulation of Labor, the Right of Organization, and Abolition of Poverty, simply as preliminary steps towards the formulation of a more practical program later on.

The Commission feels that we are not yet ready to offer definite or practical proposals for the amelioration of the Industrial Evils. We deem it to be our duty first to study and understand before we can hope to remedy the evils that afflict us. In the hope that our study of the subject may be helpful to the Conference in understanding certain phases of the subject, we offer the following statements, prepared by different members of the Commission:

A. HOUSING REFORM

The proper housing of the poor is one of the paramount duties of a community. The reason is easy to see. Nothing is more detrimental to a community than bad living conditions for the masses. Unsanitary, overcrowded, ill-ventilated, congested dwellings are a menace to the health, the morals, and the capacity of men and women, and undermine the foundations of city and state.

In some countries, such as England, cities have for some years tried in their municipal capacity to provide proper housing for the poor. They have thus emphasized the importance of such work to the common welfare. In America, no municipal enterprise of this character has developed as yet.

On the other hand, American cities have been blind to neither the needs nor the problem. Notwithstanding the spaciousness of our country and the existence of vast unoccupied tracts everywhere, congestion of population is common. It is not only in New York and other very large cities that congested quarters are found. Similar conditions exist in all smaller cities and

even in very small towns. And wherever they exist, they are accompanied by the usual physical and moral evils.

There is no reason why such conditions should be allowed to continue. Moreover, to tolerate them, means to encourage their growth, to propagate them. They exist for definite reasons, namely, the selfishness of landlords, the ignorance of the people, the indifference of the community. To remove these causes means to exterminate the evils of congestion, and to create better housing for the poor, and thus a healthier and happier community.

To that end, in various localities the aid of legislation has been sought. Laws have been enacted regulating the character and construction of tenements, in order to insure proper housing for the people. In a city like New York, such legislation is needful for the protection not only of the poor, but also of the middle class and the well-to-do, who are compelled to live in tenements, sometimes called apartments.

Another means of improving housing conditions has been the building of model tenements in larger cities, and of model cottages in smaller places, by men and corporations interested in such communal improvements. Such enterprises are not charities in the ordinary sense. They are good commercial enterprises. But they put concern for the common welfare in place of private greed.

Needless to say, religious people should have no doubt as to where their place in such a movement should be. Religion is a failure that cannot control private greed and subordinate it to the good of the community and to the just treatment of one's fellows. Long ago, Isaiah cried out against this evil. "Woe unto them that join house to house, that lay field to field, till there be no place, that they may be placed alone in the midst of the earth!" Such monopoly is no less iniquitous today. It behooves the Jew particularly, to stand out as fighter against the evil of congestion, for no one should know better its perils and misery, and abhor it more, than the Jew, who for centuries was forced to live in the crowded ghetto and has had to bear the oppressive burden of its consequences.

What can we do by way of helping the cause of better housing for the poor? We can do the following:

I. Support legislation, designed to regulate and protect the housing conditions of the people.

II. Arouse and educate the conscience of the people, particularly property owners, in relation to this question, and encourage enterprises in the direction of better homes for the masses; and,

III. Co-operate with the national and local housing associations that devote themselves to the solution of this problem.

B. REGULARIZATION OF INDUSTRY

Unemployment is one of the most serious of the industrial problems. It is a contributory cause of much of the prevailing poverty, disease and crime. A sad figure to contemplate is the worker who is eager for work which he cannot

find. Self-respect is threatened and the feeling of social responsibility undermined in the individual who is prevented from earning a livelihood because of a protracted season of unemployment.

As it is becoming increasingly clear that a large part of unemployment is due to preventable causes, it is the duty of religious leaders to study and to endorse measures that would tend to minimize the evil effects of unemployment.

In many industries, the year is divided into two parts, the busy and the dull season. The first period is marked by a feverish energy to fill orders for the season's trade, the factories frequently working overtime, compressing the manufacture of the supplies for a year within a few months. This period is followed by the dull season when large industrial plants reduce the number of workmen and stop a large number of machines. As a result the savings of the busy season are scarcely sufficient to tide many of the workers over the period of the dull season. To remedy this condition, it has been proposed to "regularize" industry, to distribute the work over the period of the year, so that workers in any particular line could have employment for the year. In order to accomplish this, it might be necessary to introduce at the dull season certain allied industries that could utilize the machines and the particular training which the workers possess.

To offset the evils of unemployment, it has also been suggested that the city, state and nation should more systematically plan public work. Depression in business and the trades seems to follow a law of periodicity. To meet the situation, an elastic and liberal program of public work should be prepared for the emergency created by the usual unemployment. A part of the city's and state's taxes should be set aside as an emergency fund for the unemployed. The wage and the work could easily be regulated by experts so that public work would not interfere with private industry. Such work as land reclamation, afforestation and building of new and improved highways might very profitably be done at such periods.

Another proposal that merits consideration as a measure to "regularize" industry is the institution of an Inter State and National Labor Exchange with branches in various parts of the country. By a comprehensive study of the industrial situation an Exchange Bureau would be able to keep different sections of the country informed as to the opportunities of work and the availability of workers. By cooperation with the railroads, such a Bureau would be enabled to transport bodies of workers at a minimum expense to the place where their labor is needed. This method would do much to balance many of the inequalities that obtain in the industrial world between the opportunities of work and the availability of workers.

A considerable influence in aggravating the evils of unemployment is the burden of the unemployables; the idle and shiftless, the sick, the old, the unskilled, the semi-criminal and the mentally defective who so frequently glut the labor market and displace the competent, energetic and honorable workers. At the present time, little more than a spasmodic attempt is made to handle the situation, to root out the undesirables and to give a fair and free field to the capable workers. The state should more systematically

plan farm colonies, hospitals and trade schools to shelter the weak and to train the ignorant. Thus the industrial world would be protected from the blunders and the burdens of the incompetents, and the regularization and the standardization of labor would be achieved.

C. CHILD LABOR

Every child has a right to a fair start in life. To subject little children to the strain of continuous application at hard labor is to discount the future at a ruinous cost not alone to the children themselves, but also to the nation. Enlightened public opinion has wakened to this fact. This enlightened public opinion is gathering impetus year by year. The selfishness of interests that are still holding out against the welfare of the children must give way. In state after state during the past few years, laws have been enacted for the protection of the children.

We believe that this movement in the interest of the children of the republic will go marching on until in every state of the Union, even in such as to their shame are now most backward in this matter, laws will be placed on the statute books forbidding labor by children under the age of fourteen and protecting from exhaustive exertions those under sixteen. Such legislation in connection with a compulsory education law for all children up to the age of fourteen will ensure a fair beginning in the race of life to all children and will preclude the dread possibility of a weak, unfit, decrepit, future race of men and women whose strength has been sapped in childhood by the vampire of greed in mine and mill, in shop and factory.

If the republic is to endure, we of the present must give thought to the future. We dare not say with the selfish French king, "After us the deluge." The future will be safeguarded only if the children of the present are given the opportunity to develop all their powers of body, mind and soul, not only the children of the rich, but also the children of the poor. For the cultivation of the mind, provision is made in the public schools throughout the land; for the cultivation of the soul, the religious organizations of all creeds are concerned; for the protection of the growing body, enlightened child labor legislation must enact proper measures.

Our Conference having already placed itself on record on this subject of Child Labor legislation, it is necessary for us here and now only to re-emphasize our position in this matter. The message of the President, submitted to the Conference at its meeting at Frankfort, Michigan, in July, 1908, presented the subject from the Jewish point of view in these words:

"Among the traditions which we hold dearest is that of the concern of the Jews in all lands and ages for the welfare of the child. From the days that the lawgiver said, "Thou shalt teach them diligently to thy children," to the present hour the child has filled a large place in the economy of Jewish life. No need, then, to argue the appropriateness for us as the representatives of a large section of Jewish Americans to express by resolution or otherwise our sympathy with the strenuous efforts that are now being made by philanthropists, educators and legislators all over our land to secure for every child the rights of childhood

and such opportunities of education and play as shall fit it for the tasks of manhood and womanhood. Many of our co-religionists are large employers of children in the various lines of trade and manufacture; our privilege and our duty it is to represent the child's side to such as are not already conscious of their responsibility in the matter. A word of good cheer from this representative Jewish organization will greatly enhearten those engaged in championing the cause of the child, and will be in a line with Judaism's age-long solicitude for the child's happiness and welfare."

The Committee on President's Message reported as follows on this paragraph:

"We recommend that we express our sympathy with all movements in State and Federal legislation that endeavor to abolish child labor as well as with all movements that make for the proper development of child life through education and recreation; and we urge upon the members of the Conference actively to advance the cause of the child in our country."

We heartily re-endorse this position taken by the Conference seven years ago and urge the cooperation of the Conference with the National Child Labor Committee in its vigilant campaign for the children.

D. Right of Workers to Organize

The right of association is not only a fundamental right of the wage-earners, but in modern industry collective bargaining is absolutely necessary to their well-being and progressive development. Collective bargaining is the highest manifestation of the interdependence of labor and capital; it brings workman and employer into a relationship in which each is enabled better to understand the other's point of view and makes for the establishment and maintenance of mutual respect and forbearance.

E. The Abolition of Poverty

The purpose of the Conference to encourage every effort made to establish social justice is thoroughly in accord with the whole tradition of Judaism. The distinction of Judaism as a religion has always consisted in making the chief content of the service of God to be manifested in the practice of justice and loving service to men. The discovery of the neighbor as the fellowman and brother, created in the image of God, made religion an aggressive force on behalf of the poor, the suffering, the oppressed, the exploited. Therefore, our religion has always been interested in the great problem of the poor. It may be said to aim at the abolition of povery in the land. A recent economic writer of authority, Prof. Hollander, very well says: "In our own day, an appeal to Biblical authority as warrant for the continued existence of economic want, represents a vicious exegesis whereby humanitarian appeal is perverted into quietest assent." I consider that an excellent comment on the classic text: "The poor shall never cease out of the land." The idea is that despite all social institutions, such is the importance of the personal

factor and such is the change in the relative position of poor and rich and in the standard of living, that we must always recognize that there will be much to do to improve conditions.

Judaism approaches the problem of poverty from two points of view, that of justice and humanity. It constantly maintains the standard of strict justice between rich and poor. Not only in the Bible, but all throughout literature, the refrain is, "not to respect the poor in his suit, and certainly not to show favor to the mighty or the rich." And, on the other hand, Judaism is rich in precepts commending the poor and the needy to the personal sympathy, to the tender consideration, to the loving kindness and helpful service of their fellowmen. The fact is, even the humanitarian impulse is considered as only an act of justice, as the word for alms-giving or charity in Hebrew is synonymous with righteousness or justice. In inculcating justice, Judaism from the earliest times has felt that it was a two-sided conception, that it rested not merely on the individual's desire for righteousness and his sense of responsibility, but also upon social arrangements and institutions. In other words, Judaism's conception of justice never failed to emphasize the social aspect.

As is well known, the Torah seeks, by various laws and institutions, to conserve the dignity of the poor wherever possible, to render it unnecessary for the poor to be a recipient of bounty, but to enable the poor to subsist in free manhood by the dignity of labor and by just treatment at the hands of society. Any poor person could go into the orchard or field and take enough to satisfy hunger, though he was not allowed to carry anything away. This emphasizes the superiority of the rights of persons to the rights of property. In a sense, there is here voiced the truth that it is just that a man be not allowed to starve. In the laws of the gleanings, of the forgotten sheaf, of the corners of the field we have arrangements for the opportunity that should be given to the poor to earn his living by a day's labor. For such laws are not those of charity in the narrower and technical sense of the word. To spend a day in the heat of the sun, picking the gleanings, working in the field, is to earn your day's wage. It could be said without exaggeration that we have in such laws the expression of the duty of society to give a man an opportunity to earn a living. In the law of the release year, which emancipated a man from debt, in the institution of the jubilee, which restored property to its original owner, we have the provision of society for the prevention of a poverty that, going from generation to generation, would end in pauperism. It is not necessary to go further into details. It is only necessary to emphasize the fact that the spirit of these laws is afterwards continued in later Biblical history and in the rabbinical literature. A Nehemiah could rebuke exacting creditors and make them return pledges to their poor brethren and restore sons and daughters, enslaved because of debt, to their natural freedom. That to give a man an opportunity to earn his living, is the best way of helping the poor neighbor, is expressed in the thought of the later teachers of Jewish ethics, that the best form of helping the poor is to provide work for them, even if there is no immediate need for that work, or to make them a loan,

without interest, so that they can help themselves. These laws in the Torah and in the rabbinical Halacha and post-rabbinical Jewish ethics are the natural precipitate of the teachings of the inspired prophets in Israel, who were, above everything else, pleaders for the poor and advocates of social justice.

Judaism, therefore, is a religion that has always recognized the state and its statutes as the instrumentalities by means of which the moral ideal of justice can and must get to be expressed. It is not unfair to say that modern religious thought in Christendom has only overtaken the deepest impulses and ever present ideals of Judaism.

The Conference, therefore, sees in contemporary tendencies, by means of social legislation to help the poor in the direction of so ameliorating their condition as to abolish economic want, a commentary upon the teachings of Judaism. And while every particular piece of legislation must be examined from the point of view of adaptability for the purpose in hand, and may need for the purpose of decision as to its righteousness the counsel of expert authority, the spirit of our contemporary legislation is that of Judaism. Social justice is, however, a two-fold thing. It represents, on the one hand, the just and equitable arrangement of social institutions. It represents, on the other hand, a perfect correspondence between the individual's service to society and his possessions, enjoyments, privileges and power. It implies individual responsibility as much as social responsibility. The inequalities of human nature must necessarily be expressed in inequalities of possession and power. It is essential to the Jewish conception of justice that this be recognized, or there never would have been announced such a commandment as "Thou shalt not steal." The individual, according to the teaching of Judaism, is in the last analysis, responsible for his own holiness. And holiness, when we read the nineteenth chapter of Leviticus, has, as many of its elements, integrity, strict conscientiousness and equity. What social justice means is, the realization of the truth that inequalities become not inequities. Judaism, therefore, hopes for the time when God will wipe away the tears from humanity, when all suffering will end, when His kingdom will be established on earth and justice prevail. To bring this about, two factors are indispensable—the progress of the individual in personal morality, the progress of society in social righteousness. Both work together and are indissolubly intertwined. Both must be emphasized. Rich and poor meet together. The maker of them all is the Lord. A perfect society will not come merely as the result of social machinery, but demands equally, the perfection of men. When God's law will be written in men's hearts, so that the least, as well as the greatest, know Him, there will be social perfection. In the mean time, let us do what we can to establish justice and loving kindness, that is to say, *ṣedakah* (righteousness) in the earth.

SOLOMON FOSTER, *Chairman* SAUMEL H. GOLDENSON
RUDOLPH I. COFFEE SAMUEL SCHULMAN
HENRY COHEN DAVID PHILIPSON
H. G. ENELOW

A minority report was presented by Rabbi Heller, a member of the Commission.

MINORITY REPORT OF COMMISSION ON SOCIAL JUSTICE

To my sincere regret I find myself unable to sign the report of the Commission of which I am a member, and thus to endorse it as an adequate response to our duty in the premises. The Commission presents brief statements of the status of a number of social and industrial problems. In my humble opinion these statements skim the surface and are, to the average student of prevailing conditions, neither informing nor illumining. They present, in each case, a kind of primer of the problem; they leave unstated the principal difficulties, as well as the most promising remedies and solutions. One of these statements is a sermon, rather than a practical survey. According to my views, as transmitted to the Chairman, the Conference should attack this cluster of subjects by first issuing a clear indictment of existing wrongs and then agreeing, as far as practicable, upon guiding principles in dealing with separate evils, after the status of these evils had been better understood in the light of presentations more thorough and detailed than those that have been accepted by the Committee.

MAX HELLER

After considerable discussion, both reports were, upon motion, referred back to the Commission.

The Chair—We have had this problem before us a number of years—Committee after Committee has reported, but the reports have not received the approval of the Conference. We have never yet had presented a clear, strong declaration of principles expressing the platform on which this Conference stands. What we are striving for, in my opinion, is to ascertain the attitude of the synagog with reference to the great social problems of the day, and to point out what moral obligations rest upon us, as Jewish religious teachers and leaders.

It was moved and carried, that it is the sense of this Conference that the Commission on Social Justice be instructed to draw up a preamble and declaration of principles, defining the attitude of this Conference on the great social questions of the day; and that this declaration shall be sent to each member of the Conference at least two months before the meeting of the Conference at which this declaration shall be brought up for consideration.

The Conference adjourned after singing the national anthem, "America."

MONDAY MORNING, JULY 5TH

The Conference reassembled at 10 o'clock. The opening prayer was delivered by Rabbi Felix A. Levy.

The report of the Committee on Systematic Jewish Theology was presented by the Chairman, Rabbi Schulman.

REPORT OF THE COMMITTEE ON SYSTEMATIC JEWISH THEOLOGY

To the Central Conference of American Rabbis,

GENTLEMEN: The Committee on Systematic Theology, which has in hand the preparation of a volume of theological essays, is again compelled to report progress. Such literary work, for which the Committee has made itself responsible, is necessarily dependent upon the contributors, who often are busy men who cannot be unduly urged.

The Committee is glad to say that it has definite promises from the following men, who are at work on the respective essays assigned to them: Prof. Neumark, Prof. Lauterbach, Dr. Israel Abrahams, of London, Dr. Philipson, Dr. Heller, Dr. Enelow and Dr. Rosenau, who have replied to the communication of the Chairman, stating that they are at work and will finish their task as soon as possible. Dr. Caesar Seligmann, of Frankfort-on-the-Main, Germany, has already sent the Committee his essay on "The Compatibility of Science with Revelation."

The Committee hopes that this volume of essays will soon be completed.

Respectfully submitted,

SAMUEL SCHULMAN, *Chairman* JOSEPH KRAUSKOPF
KAUFMAN KOHLER DAVID PHILIPSON

Upon motion the report was received and adopted.

The report of the Committee on Resolutions of the Conference was read, in the absence of the Chairman, by Rabbi Morgenstern.

REPORT OF COMMITTEE ON RESOLUTIONS OF THE CONFERENCE

To the Central Conference of American Rabbis,

GENTLEMEN: All the resolutions and declarations of principles, adopted by the Conference since its inception, were collated. After carefully reading

all the discussions, and noting the wide divergence of views that not infrequently prevailed before many of these were adopted, some of them by a bare majority, the Committee feels that it would not be just nor wise to publish the resolutions and declarations of principles, without at the same time setting forth the discussion that preceded their adoption. To publish them without the accompanying discussion would give in a number of instances, a false impression as to the unanimity of the Conference on certain important aspects of our faith. Furthermore, a mere statement of the resolutions and declarations of principles adopted by the Conference, in the judgment of the Committee, would tend to give to these an impression of finality which is not in accord with the progressive spirit of the Conference.

To publish all the resolutions and declarations of principles together with the discussions that preceded their adoption, discussions which, at times, extended over several years, would involve an expense too great to justify the interesting pamphlet that would result. The Committee, therefore, feels that for the present at least, the exhaustive paper on "The Principles and Achievements of the Central Conference of American Rabbis," delivered last year by Rabbi Philipson in commemoration of the twenty-fifth anniversary of the Conference, amply fills the need which the work of this Committee was expected to meet. In order to make it possible for the younger members of the Conference, and for persons not affiliated with it, who have not an intimate knowledge of earlier proceedings, to locate without difficulty every reference to all the steps taken leading to a definite action on the part of the Conference, the Committee recommends the following:

I That the existing index of all the proceedings up to 1905 be completed for the first twenty-five years.

II That every Yearbook hereafter contain a complete index of the proceedings of that year.

Respectfully submitted,

HENRY ENGLANDER, *Chairman*
JULIAN MORGENSTERN
DAVID PHILIPSON

Upon motion the report was received and the recommendations were taken up seriatim.

Recommendation I was referred to the Executive Board with favorable recommendation.

Recommendation II was adopted.

Upon motion the report as amended was adopted as a whole.

The report of the Committee on Religious Work in Universities was read by the Chairman, Rabbi Franklin.

REPORT OF COMMITTEE ON RELIGIOUS WORK IN UNIVERSITIES

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Religious Work in Universities is pleased to report that the year just closing has witnessed a marked advance along the lines of the work entrusted to it. Rabbis throughout the country seem to be awakening, as never before, not only to the high responsibility that rests upon them to enlist the interest of our college men and women in religious work, but also to the opportunity to help the Jewish cause that is therein involved.

While it is impossible, in this report, to submit exact statistical data of the number of students reached by our colleagues throughout the land, or of the full number of congregations that have made an effort to reach the students in their neighborhoods, we can confidently say that the number in each instance has appreciably grown. It would be of inestimable value to know exactly how many students of Jewish faith are enrolled in the higher institutions of learning in this land, and how many are being religiously reached at all. A very creditable beginning in this matter has been made by the Department of Synagog and School Extension of the Union of American Hebrew Congregations, whose published report, dealing with this subject, has no doubt reached most of the members of the Conference during the past week.

Prior to the inauguration of a definite movement along these lines, the only work done by those communities resident near great student centers, who felt any sense of responsibility to the Jewish students, was to invite them in a perfunctory way to attend services in the synagog on the holy days, or, what is more frequent, to ask them to participate in the social life of the community. Few and far between have been the congregations that have gone out of their way to identify the Jewish student very closely with the distinctly religious side of congregational life. This is a mistake that in the past we have paid for at a higher cost than we are willing to concede. For it must be realized that it is just the type of man and woman that we find in our universities today, upon whom we must depend for the maintenance of the ideals of Judaism and the dignity of the Jew in years to come. The men and women of trained minds ought to be the leaders of our religious life, even as they are sure to be leaders of the civic, the moral and the commercial life of their communities. If their cooperation is gained during the period of their college years, we may be sure that they will become the zealous and intelligent leaders of the future.

The fundamental purpose of this movement is to bring the Jewish student into closer and more sympathetic relation with the synagog, and to convince him that the results of modern science and the teachings of Judaism are in full accord.

If the religious appeal is to find a hearty response at his hands, it must be addressed to him in a sane, convincing, virile way. Its message must be

a manly message. It must not insult his reason, and yet it must not feed his doubt. It must not dispute the truths of science, and yet it must make clear to him that material science is not the last voice to speak in words of truth. In a word, it must make clear to him that philosophy finds its highest expression in God and in man's relation to God.

One of the greatest hindrances to the expression of Jewish loyalty on the part of the student in our larger universities is the fact that he finds himself in a minority and often, even, the object of prejudice. While Christian students have the Young Men's Christian Association and similar institutions as the center of their religious and social life, the Jewish student has no such place to which he can go and where he can meet his co-religionists as such. The result in many instances is, that he either affiliates himself with a Christian institution, or he gets completely out of touch with things Jewish. It would, therefore, be eminently desirous, and it would go far toward the solution of our problem, were there a building erected or some meeting place established in close proximity to our larger colleges, where the Jewish students could come into intimate contact with each other, and where all their social, cultural and religious activities might center.

Here is a splendid opportunity for some philanthropist, interested in the perpetuation of Judaism, to do a most telling work, and one that would be sure to make for the greater fidelity of our Jewish students to the cause of our faith.

It is the contention of your Committee, that our purposes can be accomplished only through direct and well organized effort. In the cities where there is a large student population, persistent effort should be put forth to enroll the college young man and young woman as active workers in the synagog. Wherever feasible, a special student membership should be created, conferring upon these young men and women both rights and obligations in connection with the congregational life. We are told that in some cities a difficulty in reaching the resident students arises out of the fact that there are several local congregations, and that the very fear of duplication of effort leads to a total passivity and indifference in regard to the religious fate of the student. In such cases, the various congregations of the community might band together in the work of supervision and management of student welfare work, as is being done at present in New York City under the auspices of the New York Board of Ministers.

But, of course, the great problem that lies before us is in connection with those universities that are situated at some distance from any great center of Jewish life. Here is involved the question of travel, expense and supervision. Difficult as these problems seem to be, their solution is by no means impossible. This has proved itself notably true in the case of the Jewish Student Congregation of the University of Michigan, situated in Ann Arbor, thirty-nine miles distant from the nearest large city. The personal relation of the Chairman of this Committee and his part in organizing and maintaining this congregation make it impossible for him to speak in the terms of glowing enthusiasm that the work actually merits. But he feels that this

report would be utterly inadequate, were he not to say that the work at the end of its second year shows greater accomplishment and greater promise than it did when last year he submitted his special report in regard to it to this Conference. Not only has the loyalty of the student body been maintained, but it has appreciably grown. Not only has the Jewish spirit of the services been sustained, but it has appreciably deepened. Not only have the student members of the congregation performed the duties that have come to them, but they are demanding as their right and duty that they shall assume more and more of the obligations that go with congregational membership. Not only have they, for the most part, been loyal in attending the services of the congregation, but many of them have carried the message of Judaism home to their several communities, with the result that, in at least two instances, congregations have been established in small communities largely through the help and inspiration of members of this Student Congregation. In other words, this experiment at Ann Arbor has amply justified all the effort, all the time and all the money that have been expended upon it, and it has blazed the way for similar effort in other university centers.

It would be utterly unfair, did we not at this time and place express our very great appreciation to the nineteen rabbis who during the year have cooperated with the supervising rabbi in making this organization the splendid success that it is. One service in particular must be mentioned. On February 21st, there was held in Hill Auditorium, Ann Arbor, a great service under the auspices of the Jewish Student Congregation of the University of Michigan, at which some five thousand people were present, every church in Ann Arbor having closed its doors that all might attend a Jewish service. Perhaps this is the first such instance in history. Certain it is, that instances are rare when an audience of five thousand, among them eminent professors and intelligent students of all creeds, has listened to the message of Judaism, proclaimed as it was on that night by Rabbi Heller, of New Orleans, the preacher of the occasion. This service, one of a series of six under university auspices, is, I am glad to say, to become an annual event in Ann Arbor.

However, while this represents the foremost work that has been done in the direction of organizing students along congregational lines, it has by no means been the only one. Somewhat similarly are the students organized at the University of Illinois at Champaign, Ill. The students worship in connection with the congregation of Champaign and constitute a definite part of its membership. Rabbi Felix A. Levy and other rabbis from Chicago have visited this organization at regular intervals and it is reported that the interest and the enthusiasm in the work is constantly growing.

At the University of Missouri, a beginning has been made in the organization of Jewish students along religious lines under the leadership of Rabbi Samuel M. Cohen, who reports that the work of organization was begun so late in the last semester that little of a definite character has as yet been accomplished, but that there is every reason to believe that with the beginning of the new term, a strong and efficient congregation of some seventy students will be under way.

At the University of Texas, Rabbi David Rosenbaum reports that there are about fifty-five Jewish students, thirty of whom are men and twenty-five women. The Temple at Austin being located only about fifteen minutes walk from the University, it is felt that there is no need of a campus congregation, and all the Jewish students of the University of Texas are urged to participate in the Jewish life of the community, and to worship with the congregation, and also to participate in the congregational Seder and other holiday and holy day celebrations.

At Lansing, Mich., the Jewish students of the Michigan Agricultural College, numbering about fifty, are ready for congregational organization. At present they celebrate the holy days and conduct a religious school for the children of the Jewish residents of Lansing.

In New York City, under the auspices of the New York Board of Ministers, acting in conjunction with the Eastern Council of Reform Rabbis, there has been organized among the Jewish students of Columbia University, the University of the City of New York and the College of the City of New York, an association called The Jewish Students' Religious Union. It is governed by an Executive Committee consisting of two undergraduates and one graduate of each of these three colleges. The chief purposes of this union are, first, the holding of monthly meetings in one of the city temples, consisting of brief services and a lecture on some distinctively Jewish topic, followed by discussion; second, the arrangement of a schedule of Sabbath services in the various temples of the city, whereby the Jewish students will be the guests of some particular temple on a specified Sabbath, every courtesy being extended to them; third, the issuance of a card of admission, which will be recognized in all New York temples, and entitle the holder to a seat; fourth, the appointment of a committee, to be known as an Advisory Committee, to which Jewish students may come for advice; fifth, the securing of invitations for the Seder service in private homes for non-resident Jewish students; sixth, the securing of seats in the temples on the high holy days for out-of-town students, and finally, the establishment of a permanent home in, or near, each of the three colleges, as headquarters for Jewish students. Several meetings of this organization have been held with great success, and plans for larger work are now under way for next season.

In Philadelphia it has been for some time the custom of the two leading congregations to have lists made of all the Jewish students in the higher schools of education, including medical and dental colleges, etc. To these students invitations are extended to attend services in the synagog on all occasions. The Junior Congregation of Rodeph Shalom makes it a point to send special invitations to Jewish students to worship with them on the high holy days.

In Temple Beth El, Detroit, there is held an annual Student Day Service to which all students of neighboring colleges and universities are invited and the sermon preached on the occasion is one that directs itself especially to the Jewish student. This service has had a marked influence for good.

And so, throughout the country, there is a growing recognition of the claims of the Jewish student on the part of rabbis and congregations. Within the college, too, the Jewish spirit seems to be growing. The growth of the Menorah Society is a gratifying evidence of the interest and enthusiasm in things Jewish on the part of the thinking young man and woman. However, the aim of the Menorah Society is not essentially religious, but cultural; it is stated to be "for the study and advancement of Jewish culture and ideals." None the less, far from there being any antagonism between the aims and objects of the Menorah Society and the Jewish Student Congregation, it may be emphatically stated that the two not only can, but should, work in closest harmony and co-operation, each strengthening the other's hands, each supplementing the other's work. But the congregation is the essential unit of representation of the religious life of the Jew.

The gratifying results that have thus far been achieved by Jewish student congregations indicate the need of creating such congregations in one form or another in every student community. However, the work is a very large one and cannot be carried on single handed by any of us. The time has come when the work should be undertaken systematically and upon a large scale. Its possibilities are unlimited. That they may be achieved, those organizations that have the equipment in men, machinery and money to do the work, should co-operate to the fullest extent. After mature consideration of this matter, and after consultation with the Director of the Department of Synagog and School Extension of the Union of American Hebrew Congregations, your Committee begs to offer the following recommendation:

I There are two national organizations at present engaged in religious work among Jewish students—the Department of Synagog and School Extension of the Union of American Hebrew Congregations, and the Conference. We, therefore, recommend that the Department of Synagog and School Extension be invited to join with the Conference in the creation of a Commission on Religious Work in Universities, one-half of whose members shall be appointed by the Conference and one-half by the Union. This Commission shall devote itself to the study and solution of all problems pertaining to the religious welfare of Jewish students, and shall advise all local organizations engaged in similar work of their findings; co-operating with them as far as possible in the carrying out of these findings in accordance with their particular conditions and needs.

Respectfully submitted,

LEO M. FRANKLIN, *Chairman* — FELIX A. LEVY
DAVID FICHMAN — DAVID ROSENBAUM
WILLIAM H. FINESHRIBER — CHARLES A. RUBENSTEIN
CHARLES J. FREUND — ISAAC L. RYPINS
RUDOLPH GROSSMANN — SIDNEY S. TEDESCHE

Rabbi Franklin—It might interest the Conference to know that the members of the Student Congregation of the Uni-

versity of Michigan have assumed all the obligations that go with membership. They have asked permission, in co-operation with myself, to select the speakers and arrange all the details of their congregational activities.

Since I have come to this Conference, I have received letters from some of these young men. One in particular, who was just graduated from the law department and who will take a position in a prominent law office in Chicago, writes that he will never be able to express how deep and great has been the influence of this student congregation upon his life. And he adds that no matter where fortune may carry him, he will always try to identify himself with the congregation and make himself a force in the work of the congregation.

Rabbi Stern—From personal experience at one of the universities, I find there is some need of informing the authorities what the Jewish students desire concerning the holidays. Many of the students arrive late—some wish to go home for Seder. If word could be sent through our Committee, I believe it would accomplish much good.

The Chair—The Conference should know that it does this very work. The holiday calendars are prepared and sent out for that especial purpose.

The report was received and action on the recommendation postponed until the return of Rabbi Zepin, Director of the Department of Synagog and School Extension, whose Department was to co-operate on the proposed Commission.

Rabbi Jacob H. Kaplan read a review of Dr. Ismar Elbogen's book, Der juedische Gottesdienst in seiner geschichtlichen Entwicklung. (Appendix K.)

The review aroused considerable and significant discussion (p. 411).

It was moved and carried that the Conference adjourn to re-assemble at 4:00 o'clock.

MONDAY AFTERNOON

The Conference reassembled at 4:30.

The report of the Special Commission on Jews of Other Lands was read, in the absence of the Chairman, by Rabbi Morgenstern.

REPORT OF SPECIAL COMMISSION ON JEWS OF OTHER LANDS

To the Central Conference of American Rabbis,

GENTLEMEN: To a Jew, who is interested in the growth and spread of his religion, a visit to his people in the Far and Near East is not very encouraging. While it is true that wherever Jews exist in considerable numbers, there, too, for the most part, exist synagogs in which divine services are being held weekly, or even daily, it is no less true that the manner in which the services are conducted is rarely of a nature to awaken religious enthusiasm among Jews, and interest among non-Jews.

Whatever their vernacular, the service-language of our people in the Orient is entirely Hebrew, the knowledge of which, on the part of many, outside of Palestine, is deficient. The form of service is invariably orthodox, with which a considerable number of people, who have imbibed the newer culture, in such cities as Bombay, Singapore, Rangoon, Hong Kong, Shanghai, Jerusalem, Cairo, Constantinople, are wholly out of sympathy. In probably no place is this fact more clearly manifested than in the city of Jerusalem, in which Zionism has congregated a considerable number of highly educated Jews, many of whom are wholly out of touch with the synagog, because its services, for the most part, are conducted in a manner offensive to a proper sense of decorum.

Religious schools, such as are being conducted in our own country, in connection with our synagogs, are unknown to them. Sermons are seldom, if ever, preached. Women, who are a powerful factor in the religious life of our respective congregations, have no part in the synagog-life of the Orient. They rarely attend services, and when they do, most of them seem wholly incapable of taking an intelligent part in them. Nothing seems to be done to interest the young people in congregational life, or to attach them closely to the synagog. Go where one may, one finds that the peoples' conception of Judaism consists mainly in learning enough of Hebrew to read prayers therein, in observing certain fasts and feasts and certain dietary laws, in abstaining from inter-marriage with non-Jews. That Judaism has a history worth studying and knowing; that it has a mission and a destiny; that it has rendered priceless services, and has yet greater service to render; that, having been misunderstood, and being still misjudged because of ignorance of its people and its teachings, it is the duty of the Jew to make his cause widely known and widely understood—of all this, there seems to be little or no conception among the people of the Orient.

There is scarcely a city in which there is a large Jewish settlement but that one comes across men of intelligence and progressive spirit, who deplore

the conditions which we have described, who realize that, while the spirit of progress has advanced, the Jew has remained behind, that while active propaganda is being made by other religious sects, by missionaries of all kinds, the Jew alone remains apathetic. The result, they claim, is that instead of making accession to his ranks as the others do, he loses many of his own.

In all these Oriental countries, many of those who have the interest of Judaism at heart, who would have it occupy an honored place among the other creeds, who would have Jew and non-Jew made acquainted with the lofty principles of Judaism, are unanimous in their conclusions that something must be done, and must be done speedily, if Judaism is not to lose the support of many of the best of the rising generation. All these seem to yearn for leaders, who will show them the way out of the old into the new, out of the past into the present and future. All these seem to think and feel that a leader from among their own nationality, speaking their own tongue, acquainted with their own customs and manners, would be best fitted for such leadership.

In the light of these facts, which have been rather understated than overdrawn, it seems that the Central Conference of American Rabbis has a duty toward such of its brethren in the Far and Near East, who are possessed of the same yearning for reform as people of our faith, in our own country, were half a century ago. When we see how much is done by Christian denominations to spread their faith in foreign lands among non-Christians, the vast sums of money they expend, the religious literature they spread, the personal service they render, the institutions they found, we cannot but feel that something ought to be done, at least for such of our own people as have lost anchorage in their own faith, and are drifting, they know not whither. We must recognize, above all things, the need of leaders in various oriental lands, leaders who, familiar with their respective vernaculars and environments and customs and manners, may be able to minister successfully among such of their respective peoples as need and want their service.

We would therefore recommend that a number of Hebrew Union College scholarships be created by the Central Conference of American Rabbis, and by the Union of American Hebrew Congregations, and offered to such young men of the Far and Near East who possess the requisite qualifications and who are desirous of devoting themselves to ministerial labors among their own people.

We would, moreover, recommend that until such oriental scholarships be created, and such oriental rabbis are at work, efforts be made by the Central Conference of American Rabbis to get into communication with some of those who are eager to see Reform Judaism introduced in the Orient among those ready for it, and to establish agencies for the distribution of prayer books, sermons, literature, tracts, etc., among such of our co-religionists in China, India, Egypt, and elsewhere, as are conversant with the English language.

We would furthermore recommend that the Central Conference of American Rabbis set itself into communication with the Jewish Publication

Society of America, with a view of having the latter society distribute its publications among the English-speaking Jewish people of the Orient.

We would recommend that the Central Conference of American Rabbis draw the attention of the Synagog and School Extension, of the Jewish Chautauqua Society, and of the Teachers' Institute, to present conditions of Jews in the Orient, and to induce them to set themselves into communication with representative Jews in different parts of the Orient, with a view to organizing religious schools among them, and supplying them with the necessary knowledge and literature to make these societies promotive of the best interests of the Jew and Judaism.

We would bespeak the interest of our colleagues and their respective communities in the support of the movement launched by the International Pro-Falasha Committee in the reclamation of the 50,000 Abyssinian Jews of whose existence we have had official reports from many sources, among which that of Dr. Faitlovitch, now in this country, is the most reliable.

Respectfully submitted,

JOSEPH KRAUSKOPF, *Chairman*
LOUIS GROSSMAN
BERNARD M. KAPLAN
DAVID NEUMARK
WILLIAM ROSENAU
JACOB D. SCHWARZ
MARTIN ZIELONKA

It was moved and carried that the report, together with a copy of the transcript of the discussion, be referred back to the Committee with an expression of appreciation of the Conference for the work done by the Committee.

The report of the Special Commission on Survey of Jewish Religious Conditions was read by the Chairman, Rabbi Enelow.

REPORT OF SPECIAL COMMISSION ON SURVEY OF JEWISH RELIGIOUS CONDITIONS

To the Central Conference of American Rabbis,

GENTLEMEN: The President of the Conference, in his message last year, recommended "a careful and detailed survey of Jewish religious conditions." As a result, the present Commission was appointed. At a meeting held in January at Chicago, the members of the Commission discussed this important subject, and decided that the most that it could do at present was to submit some general suggestions as to the scope and possibilities of such an undertaking. It therefore begs to submit the following report:

It is clear that a survey of religious conditions in America would be very valuable. It would help determine the present status and throw light on what

ought to be done in order to safeguard and promote our religious life. For instance, while it is known, in a general way, that many Jews do not affiliate with religious institutions and do not participate in religious activities, it would, no doubt, be helpful to know definitely the proportion of such detachment. There can be no doubt as to the value of such a survey in this respect.

But it must not be overlooked that such a survey, to have any real value, would require means and facilities that the Conference does not possess. A survey is an expensive undertaking, and cannot be carried on without the employment of special investigators and other assistants.

On the other hand, certain organizations have made investigations and collected data that might prove available and useful for the end in view. Among these organizations may be mentioned the Bloch Publishing Co., the Bureau of Statistics of the Jewish Community, the Department of Synagog and School Extension of the Union of American Hebrew Congregations and the Executive Committee of the Bnai Brith. The most extensive collection of data has been gathered by the Department of Synagog and School Extension.

The Commission begs to recommend that:

I The Conference enter into negotiations with these several agencies, with a view to systematizing the collection of data on Jewish religious conditions, and ascertaining whether some form of co-operation might not be effected, calculated to yield better results and to assemble the information wanted.

II That the Conference suggest to the agencies in question the subjects on which information is particularly desirable for the purpose of a survey of Jewish religious conditions in America.

III That the Conference maintain a Committee or Commission for this purpose.

IV That every member of the Conference be asked to co-operate in such a survey, enlisting, wherever possible, the support, both moral and material, of the several congregations, and introducing such a system of records as would promote the possibilities of a survey.

Finally, a tentative list of subjects is submitted as desirable in connection with a survey of religious conditions.

(a) Synagogs: Number. Kind. Membership.

(b) Religious Schools: Synagog schools. Detached schools. Extension schools.

(c) Private Religious Instruction: In what way conducted. By whom. Whether in connection and under supervision of synagogs or not.

(d) The Unaffiliated: Number. Causes. Attitude towards the Jewish community and Jewish work.

(e) Drift and Apostasy: Affiliation of Jews with other religious societies, both active and passive.

(f) Inter-marriage: Number. Causes. Religious affiliation of offspring.

(g) Activities to promote religious life among the Jews outside the synagog.

It cannot be doubted that the work connected with such a survey would not only reveal the strength and weakness of our religious life, but also stimulate interest in many quarters and create new activities for the good of our common cause.

Respectfully submitted,
HYMAN G. ENELOW, *Chairman*
GOTTHARD DEUTSCH
MAX HELLER
ISAAC LANDMAN
MAURICE LEFKOVITS
JOSEPH STOLZ
GEORGE ZEPIN

Upon motion the report was received and the recommendations were taken up seriatim.

Recommendations I-IV were adopted.

The report was then adopted as a whole.

The report of the Auditing Committee was read by the Chairman, Rabbi Marcuson.

REPORT OF THE AUDITING COMMITTEE.

To the Central Conference of American Rabbis,

GENTLEMEN: Following the suggestion of the Auditing Committee of the last two years, that a general Auditor be secured to audit all books and reports of the Conference, the President asked the Chairman of this Committee to undertake the auditing of the books and accounts of the Conference before the beginning of this convention.

Without any cost to the Conference, an expert accountant has gone over all these books and reports, and all have been found to be correct and to correspond one with the other.

Special recognition must be given to the Treasurer for the neat and accurate manner in which his books were kept, and the care which has been shown in keeping the accounts of the Conference.

Attention is also drawn to the excellent and systematic manner in which the Publications Committee is now keeping the records of that part of our activities. It will be possible to ascertain at a glance the cost of any of our publications and the value of the various books on hand, and it is to be sincerely hoped that the succeeding Committee will endeavor to continue the records as now started.

Some definite system should be adopted for the keeping of the accounts of the Solicitation Committee. The difficulty seems to be that some of the

returns are made to the Chairman of that Committee and some are sent to the Treasurer direct, the result being that there is always more or less confusion in this account. It should be a simple matter to devise a system for keeping these various items separate so as to avoid confusion.

We believe that the system adopted this year, of having books and reports sent to one member of the Conference, who shall act as auditor, is far more satisfactory than the system previously followed, of carelessly looking over the books and accounts during the meeting, and should be followed in future years. It makes it possible to systematize the work of the conference, and to follow a definite plan in the keeping of all accounts and books.

Respectfully submitted,
ISAAC E. MARCUSON, *Chairman*
LOUIS I. EGELSON
DAVID ROSENBAUM
SIDNEY S. TEDESCHE

Upon motion the report was received and adopted.

The President, in the name of the Conference, extended thanks to Rabbi Marcuson for services rendered in auditing all the books, records and accounts of the Officers and Committees of the Conference.

It was moved and carried that the Executive Board devise a system for keeping the books of the Solicitation Committee.

The report of the Special Committee on Publications was read by the Chairman, Rabbi Charles S. Levi.

REPORT OF SPECIAL COMMITTEE ON PUBLICATIONS

To the Central Conference of American Rabbis,

GENTLEMEN: Your Special Committee, to which was referred the report of the Committee on Publications with instructions to consider the recommendations contained therein, begs leave to report as follows:

We agree with the statement of the Publications Committee that the liturgical books of the Conference are mighty factors in the progress of reform Judaism in America. We recognize with appreciation the faithful service of the Bloch Publishing Company in the discharge of their duties as sole agent of the Conference during the past ten years, and of the efficient service of the Publishers Printing Co. and the J. F. Tapley Co., of New York.

The record of business shows an increase of several hundred dollars over any single year in the history of our organization; proving a steadily increasing demand for the books of the Conference. With the view of being able to supply the demand, your Committee deems it advisable to provide

in time an adequate supply of all books, and recommends that a new edition of the Union Prayer Book, Vol. I, be printed in number sufficient to
I last till the revised edition appears. About 5,000 copies will most likely be adequate. A new edition of the Union Haggadah is also hereby recom-
II mended as asked for by the Publications Committee, the supply being practically exhausted.

Your Committee recommends that the demand for the book of
III Personal Prayers and for the India paper edition of the Prayer Book be stimulated by calling the attention of the members to these books in the first circular letter sent out by the incoming administration, with the request that they give their respective congregations information concerning these books. Judicious advertising by our agents would also be a helpful factor in creating a larger demand.

As the Publications Committee must at times be ready to act in emergencies during the interim between sessions of the Conference to carry out the instructions of the Executive Board for bringing out new editions of books, your Committee recommends that the Chairman of the Publications
IV Committee shall be appointed from the Executive Board when feasible, thus enabling him to secure the co-operation of the Executive Board in expediting the work of the Committee.

Your Committee notes with gratification the listing of the revised Union Hymnal among the publications of the Conference and trusts that the first edition of 21,650 copies will find a ready sale in all congregations and religious schools. The favorable arrangement of but 20 per cent discount to our agent to continue until the first edition is sold, is herewith noted.

We heartily endorse the plan introduced by the Publications Committee during the past year whereby the distribution of free publications of the Conference is made after full investigation, and with due consideration of the worthiness of individuals and institutions applying therefor.

We recommend that a vote of thanks be extended to the Board of
V Governors of the Hebrew Union College for housing the surplus stock of our free publications in the Library building of the College.

With a view to securing a fair profit on the sales of our regular publications, which is of vital importance for the carrying on and extension of the various activities of the Conference, we recommend that the price of
VI the Union Haggadah be raised to 40 cents, that the cloth gilt edition be discontinued, and that the copies on hand be used to fill orders in
VII quantities of less than five, without discount. The price of the limp leather Haggadah shall be raised to $1.00, and of the Book of Personal
VIII Prayers, cloth bound, to 50 cents.

Noting the exhaustive study the Publications Committee made of the cost of production and the inadequate returns of some of our recent
IX publications, we recommend that the Publications Committee, under the supervision of the Executive Board, shall have complete charge of all business and financial details of future publications. All items of ex-

penditure incidental to new productions shall be carefully recorded and
X kept in a separate account by the Treasurer, so as to be available for determining the selling price of new books.

With regard to the recommendation of the Publications Committee that permission be given to the Department of Synagog and School Extension to reprint portions of the Sabbath Service of the Union Prayer Book and a limited number of hymns from the Union Hymnal for use in summer
XI resorts where divine services are held, we recommend that the entire matter of supplying our usual Sabbath Service books as heretofore, and this new request of the Synagog and School Extension Department, be referred to the Executive Board for deliberation and action.

No expert accountant was asked to audit the books and stock of our agent, the Bloch Publishing Company this year, in view of the up-to-date checking method, whereby the Publications Committee can tell after any monthly report what is due the Conference and what stock is on hand. Rabbi Frisch undertook the auditing and found the work so simple that its carrying out can be done by any member of the Conference, thereby saving the unnecessary expenditure of $60.00. We concur in this new policy and
XII ask its endorsement by the Conference.

Your Committee finally recommends that the Executive Board
XIII be empowered to complete the new contract now being drawn up and negotiated with the Bloch Publishing Company, whose services have been so satisfactory in the past.

In conclusion we cannot but heartily commend the work of the
XIV Publications Committee during the past year in introducing a new system of supervision of the business of the Conference and placing upon a most efficient basis the transactions of its Publications department.

Respectfully submitted,

CHARLES S. LEVI, *Chairman*
DAVID FICHMAN
JULIAN MORGENSTERN
SAMUEL SCHWARTZ
JOSEPH STOLZ

The report was received and the recommendations were considered seriatim.

Recommendations I and II were referred to the Executive Board.

Recommendations III-X were adopted.

Recommendations XI and XIII were referred to the Executive Board.

Recommendations XII and XIV were adopted.

The report as amended was adopted as a whole.

It was moved and carried that the report of the Committee on Publications be adopted.

The Conference adjourned.

MONDAY EVENING

The Conference re-assembled at 8:45 o'clock.

The report of the Committee on Church and State was read by the Acting Secretary of the Committee, Rabbi David Lefkowitz.

REPORT OF COMMITTEE ON CHURCH AND STATE

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Church and State begs leave to report as follows:

During the past year this Committee was constituted of forty members, each a representative of one of thirty-nine states and one representing Canada, the President of the Conference acting as Chairman. It was the duty of these members of the Committee to keep in touch with all matters in their respective states that affected the rights of the Jewish people.

It was found that during the past year the work begun by your Committee on Church and State a number of years ago, in combating the caricature of the Jew on vaudeville stage etc., has been very successfully taken up and continued by the Anti-Defamation League of the Independent Order of Bnai Brith, which has also done exceptionally good work in eliminating objectionable features from moving picture exhibits. Therefore the most important matter before your Committee has been that of Bible reading in the public schools.

The diligence and energy with which this question was prosecuted in many places during the past year by those favoring it, convinces us that it is not a sporadic, undirected attempt, but an organized movement for the union of church and state, by way of the public schools, as evidenced in the following summary, gleaned from the reports of our State representatives on this Committee and from other sources.

SUMMARY OF CONDITIONS AS TO BIBLE READING LEGISLATION

A. THE PRESENT LAW AS TO BIBLE READING

Alabama	No law prohibiting the reading of the Bible. The Constitution of the State prohibits interference with the religious status of all citizens.

Arkansas	The law reads that no sectarian teaching shall be permitted in the schools.
Colorado	Bible reading not permitted.
Florida	There is no legislation on the subject.
Georgia	There is no legislation on the subject.
Illinois	The law prohibits reading of Bible in public schools.
Indiana	State Constitution provides "Bible shall not be excluded from the public schools."
Iowa	"The Bible shall not be excluded from any public school or institution in the State, nor shall any child be required to read it contrary to the wishes of parent or guardian." See No. 2805, Iowa School Laws, 1907.
Maryland	No specific law on the subject.
Massachusetts	The school must open with Bible reading, but without comment; but upon the request of the parent the child need not take part.
Minnesota	The law does not permit the reading of the Bible, a ruling made by the Attorney General of the State.
Michigan	In this State the law is permissive.
Mississippi	No specific law on the subject.
Montana	Prohibited.
Nebraska	Bible reading permitted provided it does not become a means of sectarian propaganda.
New York	The Superintendent of Education, John H. Finley, says: "It cannot accurately be said that the reading of the Bible is mandatory in the public schools of New York. The Board of Education is prohibited from excluding the reading of the Scriptures, and is further prohibited from prescribing the version which is used in case the Bible is read. If this is mandatory in any sense, it is negatively so. What was sought this winter was legislation which would make the reading of the Bible compulsory either through a general enactment, or locally through power conferred upon the Board of Education."
Ohio	Authority to permit or prohibit the reading of Bible in the public schools lies in the hands of the local Boards of Education.
Oklahoma	Permissive.
Pennsylvania	Mandatory.
Rhode Island	There is no specific legislation on the subject.
South Carolina	Permissive.
Tennessee	Law passed last spring making reading of ten verses from the Bible mandatory.
Texas	Bible reading without comment is permitted.
Dist. of Columbia	Reading of Bible without comment and recitation of Lord's Prayer mandatory.

To complete the summary, your Secretary gathered the following information from other sources concerning the states whose representatives failed to answer:

Arizona	Decision of the State School Superintendent against the use of Bible in the public schools.
California	Decision of the Attorney General against the use of the Bible in the public schools.
Connecticut	Laws and court opinions not decisive.
Delaware	Laws and court opinions not decisive.
Idaho	Decision of the State School Superintendent is favorable to the use of the Bible in the public schools.
Kansas	Law is favorable to the use of the Bible in the public schools.
Kentucky	Decision of the courts favorable to the use of the Bible in the public schools.
Louisiana	Decision of courts recently made that from the standpoint of the Jews, the King James version of the Bible is a sectarian book.
Maine	Decision of the courts favorable to the use of the Bible in the public schools.
Nevada	No decision against the use of the Bible in the public schools.
New Hampshire	Court decisions not decisive.
New Jersey	Law is favorable to the use of the Bible in public schools.
New Mexico	No decision against the use of the Bible in the public schools.
North Carolina	Laws and court opinions not decisive.
North Dakota	Law is favorable to use of the Bible in the public schools.
Oregon	Decision of Attorney General is favorable to the use of the Bible in the public schools.
South Dakota	Law is favorable to the use of the Bible in the public schools.
Utah	Decision of State School Superintendent favorable to the use of the Bible in the public schools.
Vermont	Decision of State School Superintendent favorable to the use of the Bible in the public schools.
Virginia	Law and court opinions are not decisive.
Washington	Decision of Attorney General against the use of the Bible in public schools.
West Virginia	Decision of courts is favorable to the use of the Bible in the public schools.
Wisconsin	Decision of courts is against the use of the Bible in the public schools.
Wyoming	Laws and court opinions are not decisive.

B. The Practice at the Present Time

In nearly every State, no matter what the law provides, the Bible is read, frequently passages from the New Testament as well as the Old are read, the Lord's Prayer is frequently recited, Christmas entertainments are generally given and, in some States, Christian hymns are sung.

C. Legislation Recently Attempted or Pending

Colorado	School Boards of the State are considering the introduction of Bible selections.
Florida	A bill was introduced last spring authorizing Bible reading and religious exercises in the public schools. Bill never came out of Committee.
Illinois	Continual agitation has been going on in the public prints, though no legislation is pending. A bill to make Good Friday a legal holiday was recently introduced in the legislature. The Senate voted favorably on it, but in the House it was referred to the Committee on Banks and was defeated.
Indiana	No direct legislation is pending except that permission was given by the State Board of Education to the local school boards or principals to adopt, if desired, the so-called North Dakota Plan.
Iowa	Mr. Wilbur F. Crafts appeared before the Iowa Legislature last winter, and addressed a joint session of both Houses on the subject of making Bible reading compulsory; no law, however, was introduced.
Maryland	Four years ago a bill was introduced to make Bible reading compulsory. It was not enacted into law.
Minnesota	A bill to make Bible reading compulsory was introduced this winter, but was defeated in Committee.
Michigan	A bill was introduced this year to make Bible reading compulsory but was badly defeated.
New York	Two bills were here introduced this year. The first was the Tallet Bill, providing that the Commissioners of Education shall appoint, upon the unanimous consent of the Board of Regents, a Committee of seven, representing various religious faiths, who shall prepare a list of Bible references for use in the public schools. This Committee shall report in a year, and, if its work is approved by the Board of Regents, the Commissioner of Education shall cause to be printed the leaflet of Bible references that the Committee presents; and it furthermore provided that one or more selections of the Bible, found in the leaflet of references, *shall be read* at the

	opening of the public schools of the State. The second bill, called the Griner Bill, read the same as the first, except that it provided that the reading of the selections from the Bible shall take place only when directed by the local school authorities. Both failed to pass.
Ohio	In the Ohio Legislature, this past year, two bills, the Hines and the Totman Bill, making Bible reading mandatory, were introduced. They were defeated in Committee.
Oklahoma	At the last meeting of the State Legislature, January, 1915, an attempt was made, through the introduction of a bill, to provide that Bible reading in the schools of the State shall be compulsory. The bill was defeated.
South Carolina	A Bill was also introduced in the Legislature of this State to make Bible reading compulsory, but was defeated in Committee.

D. AGENCIES APPEARING FOR OR AGAINST THIS KIND OF LEGISLATION

From answers received to the questionnaire sent out, we learn that in most cases the alignment for and against such legislation is very clear and marked. Most of the Protestant churches, especially the Methodist, the Baptist and the United Brethren appear on the side of those active in promoting Bible reading legislation; though it may be stated that in the South, the Baptist Church is clearly on the other side; and in Minnesota, in the recent campaign against such legislation, the Lutherans appeared against the bill. In a number of instances, the Junior Order of American Mechanics is found working for this kind of legislation. In almost every case, the International Reform Bureau, with the Rev. Wilbur F. Crafts representing it in person, appears as the originator of the legislation and as the chief force and active agent before the legislature. The opponents to such legislation who can usually be depended upon, are the representatives of the Catholic Church, the Episcopal Church, the Unitarian Church, the Universalist Church, the Free Thinkers and the Liberals. In Washington, the Baptist and the Seventh-Day Adventists were the only Protestant organizations that opposed Bible reading legislation.

From a hasty reading of the summary, it can easily be seen that those who seek to introduce Bible reading in the public schools have been busy and have shown themselves in earnest. They are organized and seemingly well financed. They will continue the same line of attack next year, seeking either a compulsory reading of the Bible or, if they cannot get that, a recognition by the public school or high school authorities of Bible work done under sectarian auspices. The latter proposition is the North Dakota or Colorado plan, while a modification of it is the Gary Plan. These, it is understood by the Committee, will be fully discussed before the Conference at the round table discussion on Bible Reading in Public Schools, therefore the report will not go into a discussion of these plans.

Yet another matter that the Committee must refer to is the book of Bible Stories and Poems which the Rev. Wilbur F. Crafts has compiled and the manner in which he obtained and misused certain letters in connection with its publication. Letters that were written commending the selections, were so used by Mr. Crafts as to make them appear commendatory of the proposition of Bible reading in the public schools. In the campaign waged in the State of Ohio, he used these letters in the statements made by him in the public press and in public utterances. Before the Committee on Education of the Assembly of the Ohio State Legislature, he was discredited and the campaign practically lost by him because denials, made by the writers whom he quoted, were read at that meeting. It were well to present these denials at length here. He claimed that Catholics and Jews, both favored Bible reading in the public schools, and mentioned the names of Cardinal Gibbons and Professor Max Margolis, of Philadelphia, in this connection. Cardinal Gibbons' denial reads as follows:

"In answer to your letter of the 26th inst., I would say that last September Mr. Wilbur F. Crafts wrote me concerning a book, Bible Stories, asking for a friendly letter relative to the same. I replied in a spirit of friendship, approving, as I have always done, of the reading of the Holy Scripture; but no mention was made, nor was anything said, to give the impression that I intended this letter to be an endorsement of the reading of the Bible in the public schools. As things stand, I am opposed to this as it gives the teacher the opportunity to make such selections and comments as may offend the religious beliefs of the scholars. It is an entering wedge that might lead to great abuse."

Professor Margolis entered the following denial:

"You are free to state in my name that at no time have I expressed to Mr. Crafts or any one else an opinion on the desirability of making Bible reading in the public schools mandatory, and that any person quoting me in favor of the movement is misrepresenting facts."

To another inquirer, Professor Margolis wrote as follows:

"If Mr. Wilbur F. Crafts, as you informed me, claims that in approving his Bible Selections I indorse the movement to introduce the Bible into the public schools, he may be reminded that under date of September 7, 1914, I told him distinctly that I do not wish to be quoted as favoring or disfavoring Bible reading in the public schools, adding that one serious difficulty has always seemed to me the matter of interpretation, which, no matter how careful a text book is placed in the hands of teachers, will assume a sectarian character. On page four of the printed selections, Mr. Crafts quotes my opinion of his compilation, but adds that it must not be construed as meaning more than it says. If the Bible is to be read in the public schools, without any comment whatsoever, I consider it a waste of time, and if the teacher is to be permitted to interpret the text, I abide by my opinion that it cannot but be colored by sectarian attitude. I believe that the interests of religious educationists are best served by Bible study in denominational Sunday schools, at the hands of trained Bible teachers and in the atmosphere of the House of Service."

Others whom Mr. Crafts mentioned as favoring Bible reading in the public schools were Dr. George Alexander Kohut, Rabbi Montague N. A. Cohen, and Rabbi Deinard. Upon inquiry, Dr. Kohut wrote: "I do not advocate the use of the Bible in the public schools." Rabbi Cohen answered: "I stated that a teacher's interpretation involved sectarianism and to this I am unalterably opposed." Rabbi Deinard replied: "You may quote my emphatic denial of the statement that I am in favor of Bible reading in the public schools."

In view of this use of communications, the Committee recommends

I that the caution, suggested by the President of the Conference in his letter to the members on December 8, 1914, be observed in the future, and that, if an opinion is asked of members of the Conference on important questions, such as these mentioned, judgment be reserved until after careful and thorough investigation.

We also recommend that, in view of the increasing strength of the

II attack on the position of the complete separation of church and state, the Conference should diligently employ all forms of propaganda to uphold its position on this question.

One of the forms of propaganda found valuable is the pamphlet,

III "Why the Bible should not be read in the Public Schools." We recommend that this pamphlet be revised, enlarged and reprinted in an edition of two thousand.

The reference library which the Committee had at its disposal,

IV although consisting only of eight books, was not a mean help in many a case of need. At the present time these eight books cannot be located. We recommend that a carefully selected library of at least twenty-five volumes, which treat of the question of the separation of church and state, sectarianism and kindred subjects, be purchased by the Chairman of the Committee on Church and State, and be circulated under his authorization.

Respectfully submitted,

DAVID LEFKOWITZ, *Acting Secretary.*

The report was received and the recommendations were taken up seriatim.

Recommendations I-IV were referred to the Executive Board with power to act.

Rabbi Samuel Schulman led in a round table discussion of the subject, Bible Reading in the Public Schools. (Appendix M.)

It was moved and carried that a special Committee of five be appointed to make a careful investigation of all the various plans for religious instruction in connection with public education and report to the next convention of the Conference.

The Conference adjourned.

TUESDAY MORNING, JULY 6TH

The Conference convened at 10:00 o'clock.

The opening prayer was delivered by Rabbi Levinger.

Rabbi Stolz took the Chair while the report of the Committee on President's Message was read by the Chairman, Rabbi Rosenau.

REPORT OF COMMITTEE ON PRESIDENT'S MESSAGE

To the Central Conference of American Rabbis,

GENTLEMEN: In presenting the report on the President's Message, the Committee desires to express its appreciation of the splendid spirit which animates it. The conditions which engage the world, and more particularly Jewry's attention, in these days receive from the President most careful consideration and judicious comment.

I The Committee notes with special gratification the accentuation of peace as the basis of the social order, and as one of the fundamental purposes of Israel. In order to give evidence of our conviction that peace is indispensable for America's welfare, we recommend that the Conference put itself on record as heartily endorsing the wise policy of the administration of our Federal Government in its endeavors to maintain neutrality in the conflict now raging between the warring nations of the world, and that this approval be transmitted to the President of the United States.

II In this connection, we further recommend, that in order to spread the appreciation of peace as the ideal of Israel and as the highest good of mankind, all members of the Conference be requested to preach on Peace on next Rosh Hashonah.

The present conflict of the warring nations has inflicted untold suffering on Jews and, more especially, on those living in Galicia, Russia, Poland and Palestine. The collections for the immediate relief, made by the American Jewish Relief Committee and other organizations, have so far fallen pitifully short of what might justly have been expected from more happily conditioned Jewry in America. This insufficiency of contributions is rather to be attributed to lack of knowledge of the deplorable conditions prevalent than to any willful indifference to the plight and suffering of our unfortunate brethren.

III Your Committee therefore recommends, that the Conference urge its members to bring to the attention of their respective communities the ever growing needs of our suffering brethren, so that American Jewry may perform its full duty in relieving the destitution occasioned by the war. With this in view, we recommend that the members of the Conference make the conditions of our suffering co-religionists the subject of one of their Yom Kippur sermons, and add thereto a strong appeal for immediate and future aid.

We note with interest the observation in the President's message that the terrible European catastrophe brings out the evil attendant upon our division of counsel and our unpreparedness to meet a great crisis, and demands of us unity of action for the welfare of a larger Israel. "The multitude of committees and leaders should unite in creating one Committee, which shall be permanent and thoroughly representative, and duly authorized with the right and power to act on behalf of all Jews of America." The Conference urges such Committee or representative body of American Jews to find
IV ways and means to bring before the Peace Congress of the nations, after the present terrible war shall have come to an end, a strong presentation of the inalienable rights of our co-religionists in lands affected by the action of such Peace Congress, and that the demand be made that all disabilities of our co-religionists in such lands be removed.

Our Committee on Church and State, having been organized to help
V safeguard religious liberty in our land, needs to be in a position to do its work as efficiently as possible. We cannot help but note the constant efforts to introduce Bible reading, and thus indirectly religious instruction, in the public schools of many states. It is highly important that the State representatives of our Committee on Church and State, not only inform their Chairman but also be informed by him, of every effort put forward to undermine the American principle of the separation of church and state in any one of the States of the Union.

We furthermore deem it advisable that the Committee on Church and State co-operate with such other national organizations as the Board of Delegates of the Union of American Hebrew Congregations, the American Jewish Committee, the Anti-Defamation League of the Independent Order of Bnai Brith and other national organizations.

The marked awakening of interest in the character and efficiency
VI of religious education is most gratifying. Much has been contributed to this improved condition by the banding together of rabbis and teachers into State and Inter-State Associations of Jewish religious teachers. We recommend that, wherever such State associations do not as yet exist, our Committee on Religious Education urge their formation; and further, that in the larger Jewish communities, where several congregations are found, such local organizations be formed in addition to the State organizations.

We learn with pleasure that the English translation of the Bible
VII prepared under the joint auspices of the Jewish Publication Society and the Central Conference of American Rabbis, will appear in the near future, and we take this means of recommending that the Conference express its deep-felt thanks to the American scholars and more especially to its own representatives, Rabbis Kaufman Kohler, David Philipson and Samuel Schulman, for their eminent contributions and untiring labors in the production of this epoch-making work.

With reference to the recommendation for the proper celebration
VIII of the Isaac Mayer Wise centenary made by the President, your Committee recommends that the incoming Executive Board appoint,

in ample time to report to the next convention, a special Committee to consider plans for this celebration.

IX Special thanks are due to Rabbi Julian Morgenstern for his faithful services in the editing of the Yearbook and the supervision of our publications. We regret exceedingly that on account of his professional duties he is unable to serve us any longer in the capacities indicated.

X Because of this much regretted fact and the additional circumstances that the duties of the Corresponding Secretary, as well as the general business of the Conference, are constantly growing, we recommend to the incoming Executive Board the consideration of the feasibility of appointing a permanent clerk, whose business it shall be to edit the Yearbook and perform such other duties as may be delegated to him.

XI We cannot close this report without a public expression of our warm appreciation of the signal services so unselfishly performed by Rabbi Moses J. Gries, for the judgment and sagacity with which he has conducted the business of our Conference, and for the uniform courtesy which he has extended to every one. He has added increased dignity and honor to the office of President of our Conference and leaves his exalted position with the gratitude and the friendship of every one of our members.

Respectfully submitted,

WM. ROSENAU, *Chairman*	JULIAN MORGENSTERN
LOUIS BERNSTEIN	DAVID PHILIPSON
HYMAN G. ENELOW	JOSEPH RAUCH
LEO M. FRANKLIN	SAMUEL SCHULMAN
LOUIS GROSSMANN	ABRAM SIMON
MAX HELLER	JOSEPH STOLZ
ISAAC LANDMAN	LOUIS WOLSEY
JACOB Z. LAUTERBACH	

The report was received and the recommendations considered seriatim.

All the recommendations were adopted, recommendations VII, IX and XI by a rising vote.

Recommendations VIII and X were referred to the Executive Board for further consideration.

The report as amended was adopted as a whole.

Upon motion the report of the Committee on Contemporaneous History, on which action had been deferred, was adopted as a whole as amended.

Upon motion, the recommendation contained in the report of the Committee on Religious Work in Universities, namely, that a Joint Commission be created, one-half of whose members shall be appointed by the Union of American Hebrew Congre-

gations and one-half by the Conference, was taken up for consideration.

Rabbi Franklin—There are two national organizations at present engaged in religious work in the interest of Jewish students—the Conference and the Union of American Hebrew Congregations. The purpose of the recommendation is that the Union be invited to join with the Conference in the creation of a Joint Commission which shall do this work. I desire to emphasize the fact that this is essentially religious work. I have always insisted that the only legitimate form of organization among students is the congregation. But while the Committee realizes that the Conference was the logical body to initiate the work, it believes that the time has come when a larger equipment is needed than the Conference has at its disposal if the work is to be carried on thoroughly.

Rabbi Philipson—I cannot see the necessity for a new Commission. Since it is distinctively religious work that is to be done, I feel that a Committee of the Conference should do it. If we need the material assistance of the Union, we can ask for it.

Rabbi Zepin—The objection seems to be that this is a matter primarily for rabbis while the Union is a lay body. I desire to say that the carrying out of this work will be left to the rabbis. Ministers rather than laymen should work out the problem. When a solution has been found, the Union is willing to use what money and machinery it has to carry out the plan.

The Chair—It is the judgment of the Chair that the Conference should not insist on any wording of the motion which might convey the idea that only rabbis shall be members of this Commission. It is well to let future years determine who should be the members.

The recommendation was adopted.

The report was adopted as a whole.

It was moved and carried that the incoming Executive Board appoint the Conference members on the proposed Joint Commission for Religious Work in Universities.

It was moved and carried that the President, subject to the approval of the Executive Board, shall appoint the Conference representatives on the Tract Commission.

It was moved and carried that the incoming Executive Board shall determine the policy of the Tract and Solicitation Committees in regard to soliciting funds for carrying on their work in the future, and that some decision be reached with regard to reprinting Tracts I and II.

The report of the Committee on Resolutions was read by the Chairman, Rabbi Charles S. Levi.

REPORT OF COMMITTEE ON RESOLUTIONS

To the Central Conference of American Rabbis,

GENTLEMEN: The Committee to whom were referred the various resolutions of the Conference begs leave to report the following recommendations:

Resolution A:—Concerning the Automatic Resignation of Members of the Conference.

Whereas, Membership in the Central Conference of American Rabbis has always been understood to be the privilege of those who are either active rabbis or honorably retired rabbis, or teachers in theological seminaries, or those engaged in social work, in some way connected with some functions of the rabbinical office:

Resolved, that whenever a member of the Conference leaves the ministry to take up exclusively secular work of business or profession, such withdrawal from the ministry shall be considered as automatic resignation from our Conference, and his name shall be dropped from the list of members after his continuance in such business or profession for one year or more.

Your Committee supports the resolution of the Executive Board, and finds it necessary to present the following amendment to the Constitution covering automatic resignations:

Amendment, Article V, Section 4, Automatic Resignation:

Any member of the Conference leaving the Ministry to engage exclusively in business or profession of a purely secular nature, shall at the end of one year, with due notification, automatically forfeit his right to membership in the Conference.

Resolution B:—Concerning Relief of Rabbis and Jewish Scholars in Europe.

Resolved, that, subject to the approval of the Finance Committee, as provided by the Constitution, the sum of $250.00 be appropriated from the General Fund of the Conference for the relief of impoverished and suffering rabbis and other Jewish scholars in the warring lands of Europe.

JULIAN MORGENSTERN
MARTIN ZIELONKA
MORRIS NEWFIELD

We recommend the appropriation of $500 with instructions to the Executive Board to forward the money, after appealing to the members for additional individual contributions.

Resolution C:—Concerning Memorial Tributes.

Resolved, that this Conference go on record as favoring the discontinuance of the custom of giving flowers at funerals, and the substitution therefor of a memorial tribute in the nature of gifts to the synagog and for philanthropic purposes.

LEE J. LEVINGER
JOSEPH RAUCH
M. M. FEUERLICHT
M. H. HARRIS

Your Committee concurs in the spirit of the above resolution and recommends that we emphasize anew the hallowed custom of the Jewish people of contributing memorial gifts for religious, educational and philanthropic purposes instead of flowers as the most fitting tribute to the memory of the dead.

We further recommend that a copy of this resolution be sent to the Jewish press, and to the secretaries of all Jewish congregations.

Resolution D:—Concerning a Model Constitution for Congregations.

Resolved, that the incoming Executive Board appoint a Committee to draft and report for consideration at the next convention, a model constitution for the guidance of Jewish congregations in America. This constitution shall be sent to congregations upon request.

LOUIS WITT
JOSEPH STOLZ
L. J. ROTHSTEIN

This Resolution was passed at a previous convention, and is again recommended by your Committee.

Resolution E:—Concerning Pulpit Candidating.

Resolved, that in the matter of the selection of rabbi by the congregation, this Conference go on record to the effect that:

We strongly condemn all such methods of electing rabbis as tend to lower the high standard and dignity of the rabbinate, and we believe present methods are on the whole of this tendency;

We therefore recommend that a special Committee be appointed to report at the next convention of the Conference on methods of pulpit candidating.

LOUIS WITT
DAVID PHILIPSON
SOLOMON FOSTER

Your Committee concurs in the sentiment of the resolution, and recommends the same for adoption by the Conference.

Resolution F:—Concerning Yearbook Index.

Resolved, that a new index of all Yearbooks of the Conference be prepared and published as a supplement to the Yearbook of 1915 or of 1916, the details to be arranged for by the Executive Board.

SOLOMON FOSTER
DAVID ROSENBAUM
SAMUEL HIRSHBERG
LOUIS WITT
HORACE J. WOLF

In view of the lack of time this year, your Committee recommends that this index be prepared during the coming year as a supplement to the Yearbook of 1916, on lines similar to the previously published index.

Resolution G:—Concerning the Enfranchisement of Women.

Whereas, the question of Woman Suffrage will be presented to the voters of a number of States in the course of the year,

Be it Resolved, that the Conference place itself on record as favoring the enfranchisement of women.

HORACE J. WOLF
G. DEUTSCH
I. L. RYPINS
LEE J. LEVINGER
F. A. LEVY
MARIUS RASINSKY
MEYER LOVITCH
RUDOLPH I. COFFEE
ISRAEL BETTAN
AARON L. WEINSTEIN
MOSES BUTTENWIESER

Your Committee recommends that we reaffirm the statement of the Conference made at the 1912 convention, to the effect that this is a matter for the individual rabbi, and we deem it inadvisable for the Conference, as a body, to take action thereon.

In appreciation of the arduous and well-performed task of the Press Committee of the Conference, we recommend that a vote of thanks be extended to said Committee. We further recommend that a vote of thanks be

extended to Mr. Charles Danto of Charlevoix, for the loan of the ark, and to Temple Beth El of Detroit for the Torah for use during the Sabbath services of the Conference. We express hearty appreciation of the courtesies extended to us by the management of The Inn, which have been instrumental in making our stay in Charlevoix pleasant.

Respectfully submitted,

CHARLES S. LEVI, *Chairman*
ISRAEL BETTAN
JOEL BLAU
RUDOLPH I. COFFEE
WILLIAM H. FINESHRIBER
MORRIS M. FEUERLICHT
SOLOMON FOSTER
JACOB H. KAPLAN
JOSEPH KORNFELD
SOL L. KORY
MAURICE LEFKOVITS
EMIL W. LEIPZIGER
HARRY H. MAYER
MORRIS NEWFIELD
CHARLES A. RUBENSTEIN
SAMUEL SCHWARTZ
GEORGE ZEPIN

The report was received and the recommendations were taken up seriatim.

All recommendations were concurred in. Recommendation (F) was referred to the Executive Board with power to act.

The report of the Committee on Co-operation with National Organizations was read by the Chairman, Rabbi Gries.

REPORT OF COMMITTEE ON CO-OPERATION WITH NATIONAL ORGANIZATIONS

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Co-operation with National Or-

I ganizations recommends that the Conference approve of the plan of the American Jewish Committee to call a conference of the representatives of national Jewish organizations in Washington, and express its gratification at the promise of possible effective co-operation among our national organizations.

The Committee recommends, further, that the invitation to par-

II ticipate in this conference be referred to the incoming Executive Board who shall be empowered to appoint the number of representatives to which, in its judgment, the Conference is properly entitled.

Respectfully submitted,

MOSES J. GRIES, *Chairman*
MAX HELLER
DAVID PHILIPSON
SAMUEL SCHULMAN
JOSEPH STOLZ

The report was received and adopted.

The amendment to the Constitution to create Corresponding Members of the Conference as suggested in Recommendation XI of the report of the Committee on Contemporaneous History at the Detroit convention (Vol. XXIV, p. 116) was read. Action was deferred until the next convention.

The report of the Committee on Nominations was read by the Chairman, Rabbi Hirshberg.

REPORT OF COMMITTEE ON NOMINATIONS

To the Central Conference of American Rabbis,

GENTLEMEN: Your Committee on Nominations submits the names of the following members of the Conference for nomination:

Honorary President, Kaufman Kohler
President, William Rosenau
Vice-President, Louis Grossmann
Treasurer, Abram Simon
Corresponding Secretary, Isaac Landman
Recording Secretary, Max J. Merritt

EXECUTIVE BOARD

Gotthard Deutsch
Leo M. Franklin
Moses J. Gries
Max Heller
Joseph S. Kornfeld
Maurice Lefkovits
J. Leonard Levy
David Philipson
Samuel Schulman
Joseph Stolz
Martin Zielonka

CONFERENCE REPRESENTATIVES UPON JOINT COMMISSIONS WITH THE UNION OF AMERICAN HEBREW CONGREGATIONS

Board of Editors of Religious Text Books

Gries, Moses J.
Heller, Max
Philipson, David
Schulman, Samuel

Special Commission on Superannuated Ministers' Fund

Coffee, Rudolph I.
Gries, Moses J.
Leipziger, Emil W.
Newfield, Morris
Stolz, Joseph

Advisory Board of the Hebrew Union College

Enelow, Hyman G. Wolsey, Louis

Respectfully submitted,

SAMUEL HIRSHBERG, *Chairman* LEONARD J. ROTHSTEIN
SEYMOUR G. BOTTIGHEIMER JULIUS RAPPAPORT
SAMUEL N. DEINARD LOUIS WITT
DAVID LEFKOWITZ HORACE J. WOLF
FELIX A. LEVY

The report was received and adopted by a unanimous vote.

The Recording Secretary was instructed to cast a unanimous ballot for the Officers, members of the Executive Board and Conference Representatives nominated in the report.

Rabbi Gries called the newly elected President, Rabbi William Rosenau to the Chair, and turned over to him the gavel with the following words:

Members of the Conference:

Upon surrendering the office with which you have twice entrusted me, permit me to express my sincere appreciation of the high honor. Surely no greater distinction can come to any man in our ministry than this recognition from his colleagues, his peers in the ministry. When the call came to me, I accepted the burden of office with a profound sense of responsibility and I need scarcely assure you that the passing of the responsibility brings me great relief.

I recall today the history of the Conference. The Conference of twenty-five years ago was small. Through the past years, it has continued to grow under the leadership of the strong men, my predecessors, steadily increasing in influence and power; in the future, may there be many more years of life and growth, with ever increasing strength. Guided by singleness of purpose and with unity of mind and heart and spirit, may we be inspired to the highest and noblest ideals.

Isaac Mayer Wise was the founder of this Conference; he was teacher and friend to me. I have always felt that this gavel was consecrated by his touch, and that his disciples were carrying forward the flaming spirit he had enkindled in us and, through us, in all American Israel. As the symbol of the authority of the Conference and as a symbol of his mighty spirit, I pass on this gavel to the newly-elected President, my friend,—our friend and honored colleague, Rabbi William Rosenau.

Rabbi Rosenau replied:

Mr. Ex-President and Members of the Conference:

The lateness of the hour and the fatigue all of us experience after so strenuous a week necessarily prompt me to be exceedingly brief, desirous as I am to

give expression to all the thoughts which clamor for utterance at this moment. I know of no moment in my life more sacred than the present. I am deeply conscious of the honor which by you has been conferred upon me. However, it is not only an honor which has come to me, in being chosen President of the Central Conference of American Rabbis, but also a tremendous responsibility. The magnitude of the responsibility to which I allude takes its character from several peculiar conditions, pressing at present to the fore. I feel the significance of this organization in the polity of American Israel. The Conference is a body of men with which all American Jews, no matter what their point of view may be, must reckon. I am also cognizant of the tendency for which this Conference, in the present religious milieu, stands and of the tradition which it, during its existence of more than a quarter of a century, has made. Both because the tendency and tradition of the Central Conference of American Rabbis are and should be those of historic reform, I realize the timeliness of a well-known caution to the representatives of the American Congregation of Israel, "Be exceedingly deliberate in judgment, in order that you may train many disciples for our cause, and may thus help to safeguard the law of our fathers."

Nor can I escape recognizing a third condition by which I am confronted. A remarkably high presidential standard has been set for me by my predecessors in office from the time of the sainted leader and teacher, Isaac Mayer Wise down to Moses J. Gries, who in most eloquent words has just handed me the gavel of our Conference. Through the unexcelled guidance of my immediate predecessor, mine is a rich opportunity.

In the Talmud we are told that the watch relieved from duty was wont to greet the watch entering upon duty in the words: "May God grant you love, brotherliness, fellowship and peace." Similar greeting seems to be extended by the outgoing to the incoming administration of this Conference, through Rabbi Gries' profound understanding and wisdom, translated into wide practice.

I am not in a position to make promises of what I shall do as your President. But this much I beg to say here and now, that, if my tenure of office is to be *L'shem shamayim*, for the glorification of God's name, then let me have your undivided co-operation, so that we may at all times enjoy the blessings of true love, brotherliness, fellowship and peace, with which alone the growth of the Conference from strength to strength is possible.

The closing prayer and benediction were pronounced by Rabbi Joseph Stolz.

Oh God, Thou who art the guide and keeper of Israel, Thou who hast been with us from generation to generation, with childlike devotion we offer to Thee our thanks that Thou hast been with us during this week. We express to Thee our gratitude for the joy of coming together; for the friendships that have been cemented and the new friendships formed; for truths that have come forth from the discussions; for new plans that have been projected

for the future. We thank Thee that Thy blessings have rested upon the administration of those whose work is now finished, and we pray Thee that even as the spirit of Moses rested on Joshua, so may the spirit of loyal faithfulness, of friendship and of fairness displayed by our Moses, rest upon his Joshua; that the work of our Conference may ever proceed from strength to strength.

Yet, Oh God, we would not ask that Thy chief blessings rest on us alone. Our thoughts and hearts go out to Israel so sorely tried in other lands. And we pray Thee that Thy mercy shall rest on all who suffer and are oppressed, and that the hearts of Israel in this land may be softened toward them and bring to them help and succor.

We pray Thee that Thou mayest guide those who are leading the destinies of our nation so that our beloved country may be the instrument and advocate of peace; we pray Thee that Thy blessing may rest on all lands; that soon may come the day when all swords will be turned into plow shares and spears into pruning hooks, hatred into love, and warfare into friendship and co-operation. יי עז לעמו יתן יי יברך את עמו בשלום

May God bless all His children with strength; may God bless all the nations of the world with peace. Amen.

The Conference adjourned *sine die*.

The following amendments to the Constitution were offered to be acted upon next year:

That **Article VI, Sec. 1** of the Constitution be amended to read:

The officers of this Conference shall be a President, a Vice-President, a Recording Secretary, a Corresponding Secretary and a Treasurer who, with the addition of eleven more members, and those ex-Presidents of the Conference present at the annual convention, shall constitute the Executive Board for the ensuing year.

DAVID LEFKOWITZ
NATHAN STERN
ABRAM SIMON

That **Article V, Section 4,** shall read:

Any member of the Conference leaving the ministry to engage exclusively in a business or a profession of a purely secular nature, shall at the end of one year, with due notification, automatically forfeit his right to membership in the Conference.

That **Article III** of the By-Laws shall be amended so as to abolish the Committee on Sermonic Literature.

That **Article VI, Sec. 3** shall be amended by the addition of the words "but members of Commissions shall be elected for a term of three years."

APPENDIX

A

ADDRESS OF THE PRESIDENT

TO THE

CENTRAL CONFERENCE OF AMERICAN RABBIS

AT THE

TWENTY-SIXTH ANNUAL CONVENTION,

AT CHARLEVOIX, MICHIGAN, JUNE 29TH, 1915

Our twenty-sixth Conference convenes in "peace and quietness," but over the entire earth thunders the noise and tumult of war. A crisis impends in the history of the world. The fate of nations and the destiny of empires are trembling in the balance. Is it the end of the old era in the development of the human race? We are witness now to epoch-making events —the war of nations and the conflict of races, involving one-half the entire earth's population, and destined to change the course of human history. It is the dawn of a new epoch.

The nineteenth century filled our hearts with rejoicing, in spite of its years of darkness. With enthusiasm we hailed the twentieth century—with its growing sense of humanity, its deepening consciousness of human brotherhood, its mighty protest against injustice, and its hope and dream of human freedom. And now we behold the rebirth of hate—nation arrayed against nation and race against race.

Marvelous have been the achievements of the modern mind and glorious the wonders of modern science. But is it glorious that the achievements of the mind and the wonders of science are being utilized as destructive weapons of death? Fierce passions and furious nationalism have swept aside all sense of justice and have overwhelmed the balance and the poise, not only of the mob in the street, but also of the thoughtful and the learned. The light which illumined the world

has been darkened. The great nations, the leaders of civilization, the torch-bearers of mankind have been bereft of reason and conscience.

The whole world is in turmoil. Thrones are tottering, empires are crumbling and millions of the masses are plunged into misery. An unshakable sense of horror haunts us. The war "overshadows the world like an ominous cloud, black with death." Some catch a gleam of light even in the darkness of the cataclysm. They see compensation in the world-wide patriotism of peoples, the spontaneous response of millions, the revelation of idealism, the marvelous human loyalty, the devoted offering of human lives, the superb spirit of sacrifice, testing the inmost fiber of men and women.

No patriotism, no sacrifice can gloss over the terrible truth and the fearful facts—the breakdown of civilization, the desecration of the sanctities of life and home, the abrogation of the moral law, and the brutalization of the human spirit.

A CRISIS FOR ISRAEL

A crisis impends for Israel. The fate of one-half the Jews of the world is trembling in the balance. The millions of Jews of Eastern Europe are buffeted from persecutor to oppressor. Is it the beginning of a new epoch in Jewish history? The war of nations and the conflict of races will affect permanently the lives of the whole Jewish people everywhere.

All mankind has been made eye-witness to Belgium's misery and sorrow. Belgium's cry of affliction sounds in the ear of the world. Galicia and Poland suffer equal tragedy, but the world neither sees nor hears. Millions of Jews, always in want and in wretchedness, now experience cruelty intensified. Hundreds of thousands are sacrificing their lives for the flag of their country, yes, even for the flag of the oppressor—and no promise of freedom is clearly spoken. The loyal offering of life, in a nation's cause, should quench the fire of Anti-Semitism in Germany and Austria, and kindle the light of freedom—with equal human rights— in Russia.

Not yet is there any abatement of Russian persecution, nor any change in the legal status, nor any removal of dis-

abilities. Again thousands of Jews have been compelled to take up the staff of the wanderer, expelled from their homes and native villages—the aged and the infirm, and mothers with unborn babes, facing starvation and the danger of death. The outrageous inhumanities have stirred even a George Brandes to the indictment of Poland, in the forum of nations; and Israel Zangwill proclaims, "Polish Jews are living through one of the greatest tragedies in history." No country and no empire may drive out its people to become homeless wanderers upon the face of the earth. Inalienable are the rights to life, liberty, and the pursuit of happiness, in their own fatherland. Let no lesser interest weaken our insistent demand for the God-given rights, of all human beings. When will the intolerable injustice end? When Russia hears and heeds the counsel of her true statesmen, like Sergius Witte, and abolishes immediately the Jewish Pale of Settlement, and solves the Jewish question in the only possible way—by giving her Jews equal rights as citizens and as human beings.

JEWS OF AMERICA, RELIEVE!

The misery and misfortune of the millions of non-combatants are the obligation of their own countries and governments. Each country and government has the imperative duty to care for its own citizens and people. The Jews of America, hearing Israel's cry of affliction, have struggled to lift Israel's heavy burden, but in vain.

Again, in the face of world-wide misery, we discover ourselves unprepared and unorganized. To meet overwhelming disaster, we endeavor to create national and international agencies. We are never ready, though Jews are ever in distress and have not yet escaped the yoke of the world's cruelty, oppression and persecution.

Our duty is to send relief, and yet more relief, and it will not be enough. It saddens and shames us to know how inadequate has been our response; but in spite of all discouragement, we dare not abandon our efforts.

Is there one in America, who would witness actual human suffering and refuse help? Is there one among us all, who could

see babes perish and men and women die from hunger and exposure and refuse to hear the piteous cry? I am unwilling to believe that the Jews of America "don't care." Perhaps when they realize the facts they will do their full duty. America is the only Jewish community in the world able to send relief. American Jews heretofore, always, have answered Israel's appeal for help. Drive home with power the magnitude of the misery, to compel sacrifice for our unfortunate brothers!

CREATE ONE COMMITTEE— PERMANENT, REPRESENTATIVE, DULY AUTHORIZED

The hour has struck to end the confusion, the disorganization and the over-organization in American Israel. Shall every crisis find us unready and unprepared? It can no longer be a question of whose shall be the credit and the glory. Human need cries out for sympathy and help. The cause of long-suffering Israel is greater far than the interest of any society. The pride of individuals and the prestige of organizations count as naught against the fate of millions. The crisis condemns "division of counsel," and demands "unity of action." Let the multitude of committees and of leaders surrender their claims to priority and precedence. They must unite to create *one committee*, which shall be *permanent*—and *thoroughly representative*—and *duly authorized*, with the right and the power to speak and to act on behalf of all the Jews of America. The united heart of Israel will speak, with a voice powerful enough, to compel the hearing of the nations, to right the wrongs of the centuries.

The psychological hour for the Jew has come! United Israel should speak with one voice!

WAR'S BRUTALIZATION OF MANKIND

Fearful has been the cost of the war, in military expenditures, in the destruction of commerce and in the loss of human productivity. The cost is estimated at a sum so huge as to stagger the imagination—more than twenty thousand millions of dollars. Still more fearful is the cost in human life, in human sorrow and woe, in the lessening of human efficiency in this

generation and in the impairment of the efficiency of the race for generations to come. Unquestionably, it is the most gigantic blow ever struck at the advance of the human race.

Who has power to measure the full significance of the daily cost of the war—fifty millions of dollars? Fifty millions daily—would transform human well-being in every country of the world.

And mankind will not quickly recover from the cost in the brutalization of the race. Nor have we heard the full story of brutality and outrage, of savagery and atrocity and of immoralities and indecencies unmentionable. Loud is the outcry against uncivilized warfare and its inhuman cruelties. "Civilized warfare" does not exist. "Humane war" is unthinkable. The whole world has been brutalized until it has grown callous to the daily butchery and slaughter. Who is there that is altogether free from some inner rejoicing when new disaster befalls the "enemy"? And *we are "neutral."* The war has brutalized mankind—with a brutalization of the spirit, until gentle women read with calm the headlines of horror, and children rejoice in the terrible tales of destruction and death.

Jews, too, have been brutalized. Never before has the Jew heard the tragic story of suffering, untouched to pity and unquickened to relieve.

Teachers of the spirit, our labor will be long and hard to counteract this work of brutalization, to overthrow the dominance of the brute in man and, in the presence of brute-force and brutal passions victorious, to re-enthrone the spiritual.

STOP THE WAR!

The war has flung the challenge to teachers of religion. Difficult and most perplexing are its ethical problems. What is the duty of the people of a neutral nation? Neutrality cannot spell indifference. Never has there been so keen an interest in the affairs of the world. Neutrality cannot compel the suspension of moral obligation and of ethical judgment. We deplore with sorrow every lapse toward brutality. We flame with indignation that human beings fight and kill like ferocious beasts. The pitying heart cries out, "Let not another life be

sacrificed. Any price we would pay and every sacrifice make, to stop the war and the human holocaust."

What is our ethical duty? If two men be fighting and are at death-grips, do we question about neutrality or ethics? We stop the fight! We do *not* supply nourishment for strength, nor weapons for destruction! If nations are battling and are grappling unto death, what is our ethical duty? Humanity outweighs "neutrality." Humanity demands that we stop the fight and do not supply food to sustain the combatants, nor ammunition to continue the war!

The neutral nations seem pitiably powerless; but if the United States and the other neutral nations have not the power to suppress the world-disorder, they have the power to refrain from helping to prolong it. The warring nations have broken the laws of mankind—not one nation, but all the nations. All are outlaws against the human race. If we are sincere in the desire to stop the war, if we of America are willing to pay any price and to make every sacrifice to save human life, let us not enrich ourselves by the blood of our fellow creatures and by the grim harvest of death. In the years to come, it will be repulsive to the nobler American spirit that we rejoiced to make fortunes out of the misfortunes of our brother-men and sister-nations. *Stop all food supply and all war supplies and all money supplies to all the warring nations.* Let America unite with the neutral nations to stop the war, under the penalty of the severance of relations and the cessation of commerce with them all. Let America endeavor to lead the nations of the world to peace.

A WORLD-TRIBUNAL

Let us vision the future and prepare for the coming era of Peace. Who dares, in the midst of war, to speak of Peace—never was there a time more unpropitious; and I answer, "Never a time, in the history of the world, more propitious. The curse of war is teaching mankind the blessing of Peace." Who so bold as to dream of Right and Justice—never did dream seem more absurd. Might makes right in the world; and I answer, "Never in all human history, has it seemed more reasonable that Right must make might in the world." Who so visionary

as to appeal for Humanity, Civilization and Law—individuals and nations recognize but one law, the *law of necessity*, the law of self-preservation; and I answer, "Never has the need for international law and international authority, in the interest of humanity and civilization, been seen so clearly". The present war is not alone the deadliest blow ever struck at human civilization. The present war is the most gigantic demonstration of international anarchy, of the lack of all government to enforce order, in the world. Nations like individuals have become lawless and are fighting it out to the death. Nations no more than individuals may be lawless. Nations, the most powerful as well as the weakest, must all be answerable before a world-tribunal. Mankind needs the recognition of the majesty and the supremacy of Law, that the world be ruled not by force but by Justice.

The peace of the nations must be built upon the eternal rock of justice—justice to all men, all races, all nations, and all peoples—with no man slave, no nation subject, and no race under oppression. Men and nations must be free. The Hebrew Prophets were seers of Truth; "Let justice roll down like waters and righteousness like a mighty stream." There can be no permanent peace until Righteousness is established, until Justice be enthroned.

We still believe in, and await the fulfillment of, the Messianic Ideals of the Hebrew Prophets—the vision of Peace, when swords shall be beaten into plowshares and spears into pruning hooks, and nations shall learn war no more—and the dream of human brotherhood as the final goal of the race.

THE CRISIS FOR AMERICA

These are days of crisis for America. Never, in all our history, has there been a situation so full of perilous possibilities. It is a time for soberness of speech and for restraint in discussion, lest America catch the contagion of the war-madness, lest America be whirled into the maelstrom of war.

Mankind hates war. Departed are the glory and glamor and heroism of war. Of all the battling nations, not one is eager to claim distinction for its beginning. Every nation justifies itself, proclaiming that it is fighting in defense of its national

life. The best thought of America is interpreting war as a crime against the human race. How significant this revelation of the mind and heart of America—more than one hundred artists engaged in a competition for sculptures on "War," less than one-half dozen portrayed war as glory, heroism and sacrifice; and the one hundred interpreted war as horror and terror and tragedy, as misery and inhumanity, as despotism and desolation.

America desires not war, but Peace. May the President of these United States, inspired by patriotism, be guided by wisdom to secure, maintain and establish Justice along the pathway of Peace. The appeal sounds to every American for an earnest, intelligent, high-minded and noble-souled patriotism. Let all true Americans unite to hold America to Peace. America, unselfish in purpose, noble in national ideal, loves Peace and pursues Justice.

The time calls for a united nation, with one mind and one heart; a nation undivided by allegiance to parties or by devotion to old fatherlands. The United States is *one*, with one united people. It is clear now, absolutely clear to all true Americans, that a man can belong and be loyal to but one nation, at any one time. We have but one flag—our beautiful stars and stripes —may it ever be to us and to all the world, the symbol of Freedom and Justice.

RELIGIOUS LIBERTY

The wisdom of our plan of reorganization of the Church and State Committee has been made manifest. Urgent is the demand for better organization against the associations which menace religious liberty in America. Immediate is the need for more thorough preparedness against the false arguments offered in the interest of legislation, favoring the introduction of Bible Reading in the Public Schools. In the face of tremendous pressure, we triumphed, because of the inherent righteousness of our cause. The duty of leadership and the responsibility for initiative rest upon our State Chairmen, but all of us must study the problem and know the law and be eternally vigilant.

It is the mature judgment of students of American history that American political freedom would never have been won if simultaneously religious liberty had not been achieved. In the days of the Revolution, the leaders for political liberty were the advocates of religious liberty. "Church and state, separate and independent, is uniquely American," and constitutes "the most striking contribution of America to the science of government."

Organized forces threaten to invade the sanctity and to destroy the character of the American Public School. With all vigilance and with all might, we must safeguard its sanctity and maintain its character inviolate. The public school must be for all the children of the Republic, offering equal opportunity to all and equal, unreserved participation to all. The public school is *the* institution to unify and to Americanize the children of the nation. Religious Liberty is "the great gift of America to civilization and to the world."

RELIGIOUS EDUCATION

Progress and deepening interest in Religious Education have characterized this year. New state and interstate Teachers' Associations continue to be organized. Perhaps the time is near when the Conference with other national organizations, interested in Jewish Religious Education, should attempt a more definite union of the various State Associations. To train, to educate, and to inspire our body of teachers is a work of the highest necessity; but it is equally important that our congregations, individually and collectively, be convinced of the need for stronger city, state and national organization to reach our "unaffiliated" children.

Fully fifty percent of all the children of America are never enrolled in religious schools. Who can estimate how small is the percentage of those who complete all the years of instruction? Thousands are outside of the religious schools, untouched by religious instruction and inspiration. Imperative our duty to the child! Equally imperative our duty to Judaism!

Ours is the duty to awaken fathers and mothers to the necessity of religious education and to the importance of a

genuine religious life for themselves and their children. The manifest weakness in the religious life of all our communities exists because no teaching has power to stand against the overwhelming worldly influences, against the sneer and the scorn of the scoffer, and especially against the destructive example of our own men and women, non-religious in their own lives and homes.

Shall it not come to pass speedily, in our day, that somewhere, one city, or one state, will be so thoroughly organized that it may be said, with truth, that every Jewish child is offered the opportunity for Religious Education?

COMMITTEES AND COMMISSIONS

Your President refrains from reviewing the work of the Conference Committees, but deems it both privilege and duty to voice the appreciation of the Conference to the various Committees for their distinguished labors and unselfish service.

The new Union Hymnal has been completed and published during the past year. It has been welcomed in America and abroad because of its literary excellence, the eminence of its musical compositions, and for its genuine Jewish character. The Committee on Revision of the Union Prayer Book has made an earnest beginning and the Committee on Ministers' Handbook, as the result of conscientious labor, is prepared to present a revised report, which, it is hoped, will prove satisfactory to all. The Conference looks forward expectantly to the results of the investigations of our Commissions on Jews of Other Lands, on Survey of Jewish Religious Conditions and on Social Justice.

CO-OPERATION

The Conference continues its wise policy of co-operation. The Conference is not only ready and willing, but eager to co-operate. We await with interest the report of our Joint Commissions with the Union of American Hebrew Congregations on "Superannuated Ministers' Fund" and on "Tracts." We renew our expression of satisfaction in the very helpful co-operation with the Department of Synagog and School

Extension, in the work of the Board of Editors, in the publication and distribution of the Holy Day Calendars and Holy Day notices, and in the furtherance of Summer Services.

NEW BIBLE TRANSLATION

The most striking illustration of our successful co-operation will reach its culmination during this year. The abandonment of the Conference plans for a revision of the English Bible and our co-operation with the Jewish Publication Society in the preparation of the new Bible Translation have been fully justified. Again we tender our sincere tribute of recognition to all the Editors, and particularly to our own faithful representatives, Rabbis Kaufman Kohler, David Philipson, and Samuel Schulman, for their service of scholarship rendered to Judaism. The first edition, popular in price, is promised early in 1916. Let us welcome it with genuine enthusiasm and help to reintroduce the Bible into every Jewish home. May Israel again become worthy the name, "People of the Book."

IN MEMORIAM

We mourn the untimely death of Adolf Guttmacher and Abraham R. Levy, faithful friends, honored colleagues, and loyal workers in the vineyard of the Lord. May their consecrated service be an inspiration to us, to their congregations, and to their communities.

"The memory of the righteous is for blessing."

SERVICE AND APPRECIATION

To the Officers and to the Members of the Executive Board who have so loyally co-operated with me, and to the Chairmen and the Committee Members who have rendered such difficult and useful service, I tender my sincere personal gratitude. I value at the fullest their sacrifice of precious hours and of needed strength; and I believe the Conference appreciates their uncompensated and unselfish labors. Only such disinterested spirit and consecrated service have made possible the continued success and the increasing power of the Conference.

Would that every rabbi of standing in America were not only member of the Conference, but active in its service, so that with united wisdom and combined strength, we might grapple with and adequately solve our perplexing problems. Rabbis are the chosen representatives of the people, and by virtue of high station, the appointed leaders of their communities. May we not only teach and preach, but also live the truths and principles we champion. May we be the exemplars of the consecrated life, in the presence of materialism, unswerving in our devotion to idealism, holding high the banner of the spirit.

ISAAC MAYER WISE

In surrendering the burden of the distinguished office with which you have twice honored me, memory recalls the presence and the spirit of the great Founder, the master-mind who conceived—the master-force who created this Central Conference of American Rabbis. Only a few years more and the Jews of America will celebrate the one-hundredth anniversary of his birth. It is most fitting that his pupils and disciples should lead in the plans for a noble commemoration. I, therefore, recommend that the Conference authorize its incoming officers and Executive Board to arrange, in co-operation with other national organizations, for the one-hundredth anniversary celebration of the birth of our immortal teacher and friend, Isaac Mayer Wise.

"THE COLLAPSE OF RELIGION?"

The "collapse of Religion" has startled the pious, the reverent and the believing. Mankind has dishonored every great religion, Christianity, Judaism and Mohammedanism. The nations are blaspheming. They pray to God for more power to kill. They worship not God, but the war-gods of power. Religion has proven its powerlessness to prevent or to stop the hate and fury, the blindness and madness of men.

Not only Religion has failed; Education and Science have been as powerless. The insensate madness of war has overturned the minds and unbalanced the reason of the pious, the educated and the learned. Preachers of religion and philoso-

phers, poets and artists, the thinkers and the learned bombard one another with verbal cannonade of fury and hate. Christianity has failed among the "Christian nations;" but it signifies no triumph of Judaism, except for the revelation, in all its nakedness, of the futility of meekness and submission, of resignation and non-resistance. The teachings of religion are vanity of vanities. Vanity of vanities seem Love and Gentleness, Mercy and Humaneness, Brotherhood and Justice. "This is the grand defeat of all of us Utopians."

THE FOUNDATIONS OF CIVILIZATION

Let us be driven, not to despair, but to searching inquiry. What are the fundamentals of human society? Are there no ethical obligations of man to man, and nation to nation? Have the commandments been repealed? Shall a modern Moses, beholding the faithless nations serving the golden calf and the gods of war and force, hurl down the mountain-side and break to pieces the Tables of Stone because the faithless nations are unworthy to receive the Law? What is the goal of the human race? Is it power and world-mastery, dominion and world-domination, or is it justice and freedom and human happiness for the millions of men?

Never has it been more clear that the world cannot be guided by the doctrine of might nor be ruled by the force of arms. Never has it been more clear that Love and not hate, Justice and not injustice, Humanity and not inhumanity, Human Brotherhood, and not the conflict of races and nations and religions are the foundation-stones of a true civilization.

THE MODERN CHALLENGE TO RELIGION

The modern world speaks bold challenge to Religion. Modern life does not proclaim that Religion has reality and power. The fearful death-grapple of nations and races has driven home the unreality and the non-acceptance of religious teachings and principles. Religion seems to have failed. It has not gripped human hearts and minds. Man has failed—he has not gripped the ideals and the spirit of religion. Religions historically have been the moral guides and teachers of mankind. All the more

startling their failure, after these many, many centuries. How manifest the moral shortcomings of the race! Are Business and Industry and Politics inspired and guided and ruled by religious ideals and principles? Do they not ignore Christianity, Judaism and all Religion? Love and Justice and Brotherhood have not gripped the conscience of mankind. Behold poverty and want, crime and vice, immorality and inhumanity, in the heart of the civilized world.

We, the teachers and the champions of the ideal, dare not surrender faith nor lose courage, even in this hour, when the ideal is mocked with laughter, dragged through the mire and drenched with human blood. We believe in the reality of Religion. We shall not cease to labor to reunite Life with Religion, that once again Religion may inspire and consecrate human feeling and thought and conduct.

America awaits consecrated leaders, and Israel, inspired prophets. The "perfect ideal of Religion," the Religion of Justice, Mercy and Humility must be made real and be applied to the problems of our generation and country—to quicken conscience, to awaken moral passion and to kindle in men and women the holy enthusiasm to live nobly. Rabbis may teach and inspire, but Israel must activize the power and vitalize the life of the temple.

Steadfast in our faith in the eternal truth of Judaism, conscious of the true nobility of Jewish life and of Jewish history, let us, with the resistless power of human hearts enkindled, and of souls aflame with Truth, teach and preach our Judaism to the Jews of America and to the world.

May we be illumined with vision to perceive with clearness the final goal, and endowed with wisdom to choose with foresight the present path, and inspired with prophetic power to proclaim the truths, principles and ideals which, like the eternal stars, have guided Israel through the centuries.

B

CONFERENCE LECTURE

THE NEED OF A NEW IDEALISM

RABBI DAVID LEFKOWITZ

Since last we met in annual convention, the dogs of war have slipped their leash and, for now eleven months, have bitten into furious madness one-half of the civilized nations of the world. The fiercest, largest and least excusable war in all history is being waged across the sea. Civilization, culture, religion—all are forgotten in this almost universal return to the heritage of the cave-man with his club and his stone. All the fine restraints of the ages have been dropped into the seething cauldron of national hate and greed. The blood-red trail of Mars is easily traced all over the map of Europe. Millions of men have been drummed together from peaceful homes and occupations, have been equipped with the tools of destruction and have been set over against each other for mortal contest. A hate that they never felt has been artificially nourished in their breasts, so that in the day of combat the beast in them may over-ride the human being. And in the ensuing conflict, large sections of the most beautiful provinces of France and Poland have been scarred beyond recognition, great monuments of ancient and glorious architecture have been wantonly destroyed, homes have been ruthlessly demolished, lives have been mercilessly sacrificed and coming generations saddled with a burden of debt, physical, moral and financial, that will draw the sweat of the masses of men for a century to come.

And as we from the outside contemplate this darkest blot upon the escutcheon of civilization, we fail to find a single noble excuse for this welter of blood and agony of hate. No great cause rears itself above the blood-stained standards of any of

the contending nations; but instead, the bait of greed for land and power and commerce shows itself on every hand. There is nothing in it all to give it even the hint of glory, no great rallying cry for freedom, no appeal of the oppressed, no rousing bravado of a tyrant of men. It is a contest of the market-place, a mean squabble over the fleshpots; and all that makes a tragedy of what would otherwise be the most laughable farce is that the coin with which the price is paid is compact of blood and tears, of quivering, shattered limbs and agonized hearts. To be sure, some memory of earlier protestations of humanity have caused the nations to produce their white and blue and yellow books, but when all the leaves have been turned and their contents digested, we come back to the first impression that they are but fine feathers to cover the nakedness of a very brutal body of greed.

Is it any wonder that people the world over are thinking sadly of the dreams of yesteryear? Is it any wonder that the spiritually-minded in all lands are discouraged at this fatal collapse of the program of civilization? Many there are who do not hesitate to call it the bankruptcy of religion. They see the hollowness and futility of religious teachings of peace and goodwill, of righteousness and humanity which bring only a fruitage of hate and greed and the sword; for you cannot long keep people from noting so clear a break between profession and practice. Amongst these, religion will have a harder task than ever before. They will either turn away permanently from such unproductive doctrines, or demand a sounder, solider and more compelling restatement of the postulates of religion. They will either mock and sneer at the sorry farce of a religious program that breaks at the first strain, or they will insist upon a deepening of all the founts of faith. Religion will have to reach into the depths of being and become so completely a part of self that not even the fiercest upheaval will reveal a fault and effect a cleavage. The mere veneer of faith, the lip-service of religion will not any longer appeal to this generation made sadly wise by blood and burdens and suffering.

If the teachers of religion across the waters will have to take account of this new wisdom and this novel and earnest

insistence upon a solider and a finer faith, we on this side of the welter will almost equally be put upon our mettle. A more impressive and a more cogent presentation of the faith that is in us will have to be made to gain anything like the acquiescence that our earlier statements obtained. There should be many, too, amongst us who will anxiously ask themselves, if at all worthy of their high office, whether their teaching did not lack something of the right fervor, whether their reasoning did not fail in something of cogency, and whether the philosophy back of their preaching was not as halting and as materialistic as must have been that of many of the European teachers. Analyzing the collapse of civilization in Europe, we will come to realize that the prime cause of it all is the fatal cleavage between the philosophy that guides the common life and is its background, and the religious doctrines which have with little or no change been repeated for ages. There was no harmony between the philosophy of life and the philosophy of faith. And if we would save our land and our people from the frightful experiences which are saddening the homes of Europe, we must bethink ourselves with renewed solemnity of the duties incumbent upon us as religious teachers.

Emerson in his cryptic way says that there are times when the priests are wooden and the chalices are golden, and there are times when the priests are golden and the chalices are wooden; meaning that in some periods of history the priests themselves are humble and self-effacing and the doctrine they teach is pure and precious while at other times the teacher vaunts himself and reaches out for worldly glory and pomp and the teaching is wooden, dead and uninspiring. If ever there was a time when the chalices of the priests of mankind should be golden, their teachings all-compelling, it is now when the times are out of joint and the madness of hate and the insanity of blood are in the air. If ever there was a time when the teachings should be pure and precious, it is now when the blatant and defiant materialism of a half century is reaping its Moloch harvest. Now at the culmination of a period of Aladdin-like revelations in the physical world, of wonderful utilitarian discoveries and of marvelous victories of inventive genius, now

when these remarkable triumphs in the world of the senses have raised Positivism and Practicality to their apogee is the time for the golden chalices. Now when the lust of the flesh, the lust of the eye and the pride of life have transformed into mere opportunists men and nations who, half a century before, had been enthusiastic idealists engaged in movements that were sweeping civilization upward as well as onward—now is the time that the priests become self-effacing while their doctrines ring true with a newer note of faith recalling the olden spirituality.

The more so is this change a peremptory need of the time, since the crass philosophy of positivism and the gross materialism of the second half of the nineteenth century have not passed by the man in the pulpit. He, too, has lent his ear to its tone of promise for a revelation of the mysteries. He listened ardently while the monism of Haeckel presented to him, with all the modern scientific paraphernalia, a "vibrating ether" as the beginning of things; an attenuated, light, elastic jelly endowed with sensation and will, "though in a very low degree," and he was asked to bow down to this jelly-god as the ultimate cause of all phenomena. He heard other scientists claim as much or more. Tolstoi reported that a learned professor had said to him that "all the faculties of the soul have now been traced back to mechanical sources; only consciousness is not yet explained," expecting, of course, that it soon would be. Think of it, "only consciousness", as if that was but an incident instead of being the very crux of the problem; yet so positive and self-confident had the materialistic investigators become. And this certainty on the part of the scientists could not but impress the teacher and the moral leader. Thus we find H. G. Wells baldly stating the corollary to all of these confident claims when he says, without any conditional clause: "The history of a nation is the development of its external resources." Historians, economists and moralists adopted the same hard tone, and might and glitter and force were acclaimed anew as they had been in the darkest day of Rome. And as for us in the Jewish ministry, well, you may remember that we were told not so long ago that this growing and terrible materialistic monism would wash the very ground from under our feet, that it was sure to leave us

stranded if we did not change the character of our preaching. To be sure, he who thus warned us had not gotten so far away that he could brazenly ask us to preach what was the natural consequent to his thesis, the doctrines of a Nietsche and his group; instead he gave us a program of protest, a program of negativism. With one hand he swept away the old preaching of the spirit, the old enthusiasms and the ancient bending low to the God of our fathers, and with the other, so that Othello's occupation be not gone, he gave us a semi-political task of protest against the growing spirit of sectarianism. To such a prospectus of protest did materialism reduce the moral thunderings of the prophets and the devotional soarings of the psalmists and seers!

Even before this gratuitous advice had been given to us, many of us, in the conflict of doubt that the revelations of science had stirred up within us ,had turned away from '*Abhoda* as a futile farce and had thrown ourselves, as though to save our self-respect, into *Gemiluth Khasadim*, social service. There, at least, we felt that we were on sure scientific footing; at least there we were helping on the world processes instead of standing by and muttering fatuous incantations. We became known and active in every movement for social betterment in the community; instead of rabbis we were efficiency experts, tenement house reformers, scientific charity advocates and agents. We had turned away from the soul and were busied with the body of the community, the "physical resources" in which H. G. Wells found all the glory of a nation. Across the waters many nations are learning in tears and sorrow that along that road of philosophy are bitterness and agony and death.

But even before the brutal scourge of war brought people to their senses, a change had come over the face of the philosophical world. Just as in nature there is ebb and flow, going and coming, systole and diastole, so positivism was giving way to idealism, egoism to altruism, material ascendancy to spiritual domination. Sir Oliver Lodge's statement is borne out by the facts when he says: "Haeckel is abandoned by the retreating ranks of his comrades as they march to new orders in a fresh direction." Driesch, a prominent biologist insists that "the mystery of the vital forces is being increasingly emphasized by nearly all leading biologists." Bergson and Royce and

Eucken are the new and acclaimed leaders of thought. The French philosopher offers the inexplicable *élan*, a sort of divine push, as the start to the world phenomena, while Royce and Eucken are presenting, with ever increasing force of argument and logic, their doctrines of idealism to the world. Listen to Royce: "And despite the vastness, the variety, the thrilling complexity of the life of the finite world, the ultimate unity is not far from any of us. All variety of idea and object is subject to the unity of purpose wherein we alone live. We have no other dwelling-place but the single unity of the divine consciousness. We are eternally at home in God." These men, not in ignorance of the results of science, but rising through and above them, thus posit the Unity of the divine consciousness. And with them the Neo-Kantians, with Hermann Cohen and Rueckert in Germany and Muensterberg in America, are repeating the chorus, "the world is fundamentally ideal."

With this new wine the golden chalices are being filled. New, yet old, for it is the wine of Socrates and Plato, the wine of the prophets who sang to the refrain, "The grass withereth, the flower fadeth, but the word of our God stands forever." We must raise this new chalice of gold before the eyes of our people, forgetting the old doubts and the cooled spirit. We must follow the course suggested by our teacher of the third century, B. C. E., and accept the aids he proposes in the order he gives them. Our program must be Knowledge, Worship and Acts of Benevolence. Knowledge must be first, and we must seek truth wherever it may be found, not fearing anything, even science. Somewhere in our search we will come to the place which Tennyson reached when he said:

> Flower in the crannied wall,
> I pluck you out of the crannies,
> Hold you here, root and all, in my hand,
> Little flower—but if I could understand
> What you are, root and all, and all in all,
> I should know what God and man is.

We must seek the truth until we are thrilled to cry out as did the Psalmist, "The heavens declare the glory of God and the firmament proclaims His handiwork," we must look with keen gaze all about us until the wonder strikes into our very being and

we exclaim with the astronomer, "O, Lord, I think Thy thoughts after Thee." It is through knowledge in all its thoroughness and completion that man is forced upon his knees, and *'Abhoda* follows swift upon Torah. To make that *'Abhoda* more than a mere fixed duty, more than a sop to the unintelligent, is our function, and, unless we have prepared ourselves by wonder and prayer and meditation, we shall not be able to fulfill that function. Only by the avenue of adoration and humility can we reach the high place of the priest at the altar; only by personal spiritual exaltation can we attain the Holy of Holies. Only then will our services be rescued from dead decorum into a living spirituality. Then will come back to our freezing congregations the ardor of spontaneous song and praise, and irresponsiveness and smugness will vanish before the spirit of the Lord. Then the old messages of the prophets will not sound like false echoes in our modern temples, but will thunder with the old-time positiveness and unfaltering conviction, as firm as the everlasting hills. And then it will be the inward urge that will send us to our fellows in social service not as a program of science, but as a psalm of brotherhood.

This is the golden chalice that the times hold up before us, containing the only wine of salvation for a much-tried world. Professor Muirhead speaks of "the strenuous idealism of the Hebrew mind;" surely this idealism is not dissipated. Let but the leaders return to the old paths of reverent spirituality and they will find the people waiting eagerly to be led into the ways of peace. Let but the spirit of idealism be wafted over the dry bones of an Israel that has in many respects become dead and inert through smugness; let but the leaders pray and praise and proclaim as did the seers of old and Israel will rise up an exceeding great host, mighty in the serene life of trust, humble before God and man, whole in body and soul, and enthusiastic in the service of brotherhood.

C

CONFERENCE SERMON

Rabbi C. A. Rubenstein

"I am a Hebrew"—Jonah I. 9.

I am grateful for the honor you have conferred upon me through this privilege of delivering a message to you to-day. This privilege, however, means great responsibility and, I must confess, I feel constrained. Since we have met this week in conference, I have realized how deeply I am indebted to you for guidance and direction.

I will, nevertheless, endeavor to give expression, feeble and inadequate as it may be, to the best thought of a practical kind that I am capable of presenting in connection with our faith and our people. It is a thought which has been uppermost in my mind from the time I have had a sober realization that I was called to the priesthood only to serve at the altar of Israel.

It is always a source of wonder that Jews should persist in their faith in the midst of a hostile world. It is a wonder to our Christian neighbor—not to us. Judaism is so deeply rooted that many Jews remain in the fold apparently in spite of themselves. The charge has frequently been made against Jews living in countries where they enjoy full freedom, especially against Reform Jews in America, that they are too deeply steeped in a Christian atmosphere and imitate too closely their Christian neighbors to be entirely Jewish. The charge cannot well be sustained. Those of our people who are prone to be unduly influenced by their environment are sooner or later called back by the voice of their faith. In the end they will not deny the rock whence they were hewn. The Jews who, through the centrifugal forces of cosmopolitanism, abandon their faith and their people are, numerically at least, a negligible quantity.

With no other historic people has religion played so great a part. I see this well represented in the story of the prophet Jonah. When the sailors, amid their distress, asked the prophet who he was, he gave the answer, "I am a Hebrew." Four questions they addressed to him: "What is thy occupation? Whence comest thou? What is thy country? Of what people art thou?" To all these he made the answer, that he feared the Lord God of Heaven. This, tersely, sums up the essential characteristic of the Jew. In a very complete sense the religion of the Jew has connoted his individuality. Down through the ages wherever the Jew has set foot he has had but one answer to the questions addressed to him as to his identity. New epochs, new peoples, new civilizations successively questioned him; he had always the same answer—he believed in One God. He has clung to his faith in spite of all forms of injustice and all manner of persecutions. Who, indeed, has made greater sacrifices for his faith than the Jew? There is scarcely a spot in the civilized parts of the old world that is not hallowed by Jewish martyrdom.

But it is only from the point of view of religion that the Jew stands out in such striking relief. In actual life he has been of the bone and sinew of mankind. True, his religion was not only a form of faith, but also a norm of conduct, and belief and practice were inseparable. But though he never faltered in his declaration that he was a Jew, he drew a distinction between the spiritual and the secular. While he realized the particular significance in the human family given to him by his belief in One God and all that it implied, the Jew also recognized that he had to do his share of the world's work and to bear his part of the world's burden. So history finds our people everywhere willing workers in the upbuilding of nations; contributing to the science, the art, the philosophy, the industry and commerce in every age and in every land. If the providence of God is seen in history, we conclude that the destiny of the Jew is not to stand apart but to stand shoulder to shoulder with other men.

This conclusion is of but recent origin, so recent, indeed, if measured on the scale of Israel's career as to be only of yesterday. It is the distinctive contribution made by the Reform

movement that began with Moses Mendelssohn. The epoch-making work of our revered teacher, Isaac M. Wise, and his compeer, David Einhorn, was, that in their hands this idea received the most logical, as well as most comprehensive, development. They made possible the American Jew—the Jew who not only holds firmly to his faith, but is also identified with the world around him. Until the rise of the reform movement, the spiritual sphere of the Jew and his secular life had never harmonized, and Jews were everywhere an "*imperium in imperio.*" We know what evils this disharmony produced both with reference to the Jew's position in the State and with reference to the Jew himself. First with Mendelssohn came the thought, as Dr. Israel Abrahams points out, that it was possible for the Jew to lead a life identified with the secular life on the one hand and with the religious life of the synagog on the other. Dr. Abrahams thinks that Mendelssohn was mistaken. Our American Judaism and the position of the Jew in American life do not confirm his judgment. We have demonstrated that as Jews we have a rightful place in society and the State.

And from the point of view of Judaism itself, we have sufficient authority for the position we take that we are not to keep aloof from the world. The prophets of Israel never maintained that they alone had the religious truth on earth. The most they claimed was a certain primacy in the conception of moral duty. Our real Judaism, the Judaism given by the prophets, consists of certain standards of life, of certain moral sanctions, of certain uplifting ideals, based on the God idea. Because these form a priceless possession, we must maintain them against all odds, deeming it our sacred duty to promulgate them as our contribution to mankind. No one claiming Jewish ancestry can neglect this duty because of prejudice, hostility or persecution.

But with all this we do not maintain that other men have not their standards, their moral sanctions and their ideals. It does not follow that we are to remain separate and unapproachable. "The particularism of the Bible," Einhorn said, "was only a lever by which mankind might be raised to a universal

belief in God."* It was a means to an end, not an end in itself. Accordingly, he made of the day which marks the beginning of the Jewish dispersion, a day of rejoicing; and very logically. We see how the dispersion broke the bands of particularism asunder. Judaism with its message for the world was freed from its shell of exclusiveness. On the ruins of the Temple in Jerusalem there was reared the Temple of humanity. The house of God, through the general dispersion of the priest people became a house of prayer for all nations. The civilized world, willingly or unwillingly, *must* trace all moral progress to the ideals first promulgated by Israel. Only by becoming part and parcel of mankind can the Jew realize his destiny. The prophet Jonah, professing his belief in One God, is sent to Nineveh. He stoutly maintains that he is a Hebrew but he finds that his mission lies *beyond* his country and his people.

Many of the ills from which Jews have suffered came from a narrower view of Judaism which some of our leaders, in times past, studiously propagated from sheer excess of zeal. They would not admit that there was a larger world beyond Jewry. They could not realize that other men had the same love of justice, the same zeal for higher striving, the same passion for the good and the right which they themselves possessed, however the prevailing standards differed from their own. They were unable to get the proper perspective. Even to-day there are many Jews hailed as leaders, holding solemnly to the old error.

To our misfortune the world has taken the separatist leaders in Israel at their own word. The Jews have been made to keep to themselves. The ghetto and the yellow badge, the disabilities and the expulsions show clearly how all Christendom, until the beginning of the last century, was only too eager to effect the Jew's isolation. While it is not true that our particularism was the cause of the persecutions from which we have suffered, it is certainly true that our attitude of aloofness gave justification to existing ethnic and religious prejudices. The main result is that to-day there is not yet a single country where the Jew, in a real sense, is the equal of his Christian neighbor.

*(Sinai, Vol. I, 293)

Indeed, we are to-day face to face with our problem as never before. In countries where Jews are oppressed we can hardly expect an improvement when the war is ended. The promise of better treatment, which the Czar is alleged to have made, no one takes seriously. Austria, in spite of her earnest appeal to the loyalty of the Jew, remains notoriously anti-Semitic. And in Germany it is not likely that there will be less temptation for Jews to deny their faith after the war than before. We know what conditions have obtained in the German empire since Bismarck began to promulgate his policy of Teutonism—the same Bismarck who, in an unguarded moment, said that Jewish blood is an advantage in the veins of any man. We know that the laws establishing civic equality in the states forming the German confederation are almost a dead letter in their application to professing Jews.

In this country, too, we observe a form of intolerance which, slowly developing, is, nevertheless, quite marked. The discussions we heard in connection with the abrogation of the Russian treaty and the stricter application of the immigration laws have given us sufficient evidence of it. There is a hostility towards the Jewish immigrant which ten or fifteen years ago was unknown. Against all classes of Jews the original ban proclaimed by American "society" is effective with greater rigor than ever. Intolerance towards the Jew, more or less stressed, prevails throughout the world.

The Jewish problem, we recognize, is acute. All manner of solutions have been offered. At the present moment, Jewish leaders everywhere are endeavoring to meet the critical situation. Zionism, as we know, has loomed up again as the one infallible remedy. That has been held out for the past two decades as the panacea for all Jewish ills. In my opinion Zionism does not solve the problem, even if the leaders of the movement could be brought to give us a definite understanding of it. It is a scheme to turn Jews to agricultural pursuits; it is to make the Jews a political power; it is to re-establish the old Hebrew commonwealth in Palestine. The constant in all these varying motifs is Palestine. That has all the strength. There is magic in that word to Jews who hold their faith impervious to modern thought, and it holds them spell-bound.

It stands to reason that Zionism only makes the problem more difficult. If Zionism in any form were established, the isolation of the Jews as a people would be complete and final, and the Jew would be practically eliminated from the stage of the world. That would be the *real* tragedy. Thus far neither the mediaeval ghetto, nor the anti-Semitism of Austria and Germany, nor the Russian pale has shut the Jewish people off entirely from their neighbors. With Palestine as the "legally assured home" of the Jew, our place in the larger world would be irrevocably forfeited. The other countries would be as tightly closed to us as the United States is to the Chinese. The "Yellow Peril" would have its counterpart in the "Semitic Peril," a phrase with which Europe has already made us only too familiar.

Every program that carries with it Jewish separateness, I firmly maintain, fails to meet the situation because it does not reach the heart of the problem. As long as we encourage the belief that the Jew differs from his neighbor in every other point besides that of religion, just that long do we contribute to our insecurity and just that long, as a consequence, do we thwart our legitimate progress. If we claim to be a priest people in the world we must not surrender our prerogative of a world ministry. If it is our genius to spread the God idea among men, we must not deliberately avoid contact with mankind. Against such a mistaken course, we are impressively warned by the story of the prophet whose brief declaration, "I am a Hebrew," so admirably sums up our real place in the world. No declaration can give such an emphatic lesson to us in loyalty to our faith as the words boldly and unhesitatingly uttered by the prophet "I am a Hebrew." He gave the clarion call of Jewish loyalty; but, being a Hebrew and even a very prophet of God, was not to mean that other men should be indifferent to him or that he should have no place beside them. This is the lesson we learn from the book of Jonah.

Unmindful of this lesson, which is supported by the best teachings of our faith, are we to put a check on our native mission? If we are to go about intelligently to make of Judaism a quickening force in the world and to work for the higher interests of the Jewish people, we must make it perfectly clear

that what marks us off from our neighbors is our Judaism, nothing else. With equal emphasis we must make it clear that, while holding firmly to our faith, we have an unquestionable place in society and the State. We need not be affrighted by the spectre of assimilation. That has always been conjured up by those who mistakenly made of our Judaism a doctrine of segregation. The history of reform Judaism in America proves that we have nothing to fear on that score. Nowhere has the Jew mingled so freely with his neighbors, as far as conditions have permitted, as the American Jew affiliated with the reform synagog; and nowhere, despite the critics of reform Judaism, is the Jew more loyal to his faith or contributes more to the welfare of our people. If in the early days of the reform movement there *was* real danger from assimilation, it was due to a lack of adjustment. Many Jews, suddenly emerging into the glare of freedom after the thrall of traditionalism, were blinded to the real purpose of reform and they lost their bearings. Now the reform Jew has found himself. He can live, and move, and have his being side by side with his Christian neighbor and yet be a Jew to the core. I am far from presuming that this will solve the problem. There are forces arrayed against us which we alone cannot overcome. There are inherited, deep-seated, age-long prejudices which the Jew, mingling freely with other men and even assimilating entirely with other men, will not remove. The pact of brotherhood and justice which we seek cannot be signed by us alone. The real brotherhood for which we hope and pray—let us not despair—will come in God's own time. But for the present we cannot beg for justice or plead for brotherhood with a 'holier-than-thou' attitude. We shall accomplish nothing if we shout to the world from our house-tops: "Away, away, ye profane!"

It should be our duty as rabbis in Israel—it should be the duty of every Jew who has the cause of his faith and his people at heart—to demonstrate before the world that we differ from our Christian neighbors as one denomination differs from another. In the words of the prophet, the modern Jew should say unhesitatingly "I am a Hebrew." We should make it clear that we are in possession of a faith and traditions peculiarly

our own; not that we are a widely scattered clan beyond the pale of the rest of mankind. This faith and the best Jewish traditions we will hold as did our fathers before us. We will not break the chain that binds Jews throughout the world into a common brotherhood. We will not forget the past so full of glorious memories. We will do all in our power to develop what, for want of a better word, we call the Jewish consciousness both in ourselves and in our children. But we will do all this not as a people set apart from the rest of mankind, but as a religious body; not as a nation, or a race, or a tribe, or a clan segregated from the larger world but as a kingdom of priests that has erected an altar to God in all times and all places and is destined to minister to all mankind.

D

MEMORIAL ADDRESSES AND RESOLUTIONS

RABBI ADOLF GUTTMACHER

Presented by Rabbi Tobias Schanfarber

Our dear friend and colleague, Dr. Adolf Guttmacher, finished his blessed career and was called to the "Academy on High," January 17, 1915. It was while on a mission of duty on his way to Chicago to attend the biennial Council of the Union of American Hebrew Congregations that the "Angel of Death," as if in a moment, ruthlessly snatched him away. Duty was one of the passions of his soul. Indeed, his whole life was consecrated to duty. God and goodness were the ideals to which he dedicated the thoughts and feelings of his heart. Like a ministering angel he brought his message of hope and cheer to the burdened and oppressed, who were given a new hold on life through the warm touch of his sympathetic ministrations. He surrounded the office of rabbi with a refined dignity worthy of imitation by others. There was no simulation nor dissimulation in him. Within and without he was pure gold. He was a true messenger of God, "a priest in whose mouth was the law of truth and on whose lips no unrighteousness was found." He worked for the glorification of God and not for his own glorification, and it was this repression and suppression of self that impressed others with his true dignity and selflessness. His life was his best sermon. He recognized no distinction between

man and man, but believed in the aristocracy of conduct and of character. His big frame was simply an outer manifestation of the bigness of his soul. He was possessed of an optimism that was infectious. He served his congregation as an ideal shepherd, and, like Moses, "our teacher," he bore the burdens of his charges and sought to lighten them as best he could. There was not a single communal institution of his home city that did not feel the effect of his directing mind. Despite his arduous duties as rabbi of a large and influential congregation, he found time to continue his studies at the Johns Hopkins University and was rewarded with the degree of Doctor of Philosophy by that institution. He was a charter member of our Conference, and both as member and one of its officers, served it with singleness of purpose and devoted enthusiasm.

As long as those of his colleagues who had the privilege of knowing him survive, this Conference will hold in loving remembrance this kind, genial and noble soul and cherish his memory as a guide and inspiration for its future work.

Be it Resolved, That this body send its message of sympathy to the dear and devoted spouse of our deceased brother, to his faithful and dutiful children, and to the congregation which he served so well for well-nigh a quarter of a century.

RABBI ABRAHAM R. LEVY

Presented by Rabbi Julius Rappaport

Abraham R. Levy, a beloved teacher in Israel, a worker of righteousness, has left the sphere of his earthly activity, going the way of all flesh. In the fifty-eighth year of his life, he has shaken off the dust from the wings of his soul and has entered the *Yeshiva shel Ma'alah*, (Academy on High), there to receive reward for his useful labor here on earth.

Born October 24, 1858, he studied under Dr. Meyer Lehman at Mayence, and at the Berlin Lehrer Seminar. His first charge was at Fraenkish Crumbach which he soon vacated, emigrating from the Fatherland to the land of opportunity, the United States of America. Arriving here, a young man of 23, he brought with him to Erie, Pa. a splendid enthusiasm; but he soon left the East for Athens, Ga., where he entered the University, guaduating with the class of 1884. From there he went to Austin, Tex. and a year later to Waco, Tex. But finding this sphere of his activity too limited for his youthful ardor, he accepted a call from Bnai Abraham Congregation at Chicago, assuming his duties there in the spring of 1888, resigning his charge in 1910. At the time of his death, he was Rabbi of Congregation Bnai Joshua, Chicago.

While in Chicago, he had ample opportunity to study the misery and misfortune of the immigrant Jew, who, having escaped from Russian brutality, became here the victim of economic conditions with which he was not able to cope. Rabbi Levy saw and realized that the efforts at relief at the hands of the charity societies were not only inadequate and at best only temporary, but that the meager alms doled out to the applicants was frequently depriving them of their self-respect and their self-reliance, and thus causing permanent injury to their manhood. To remedy this evil and to provide a permanent relief and home for homeless thousands, he conceived the idea of leading them back to the soil, for "he that tilleth his land shall be satisfied with bread" (Prov. XII, 11).

Rabbi Levy was convinced that agriculture holds the key to the solution of the Jewish question in America. He was an

ardent believer in the capability of the Jew making a good farmer, and thus he, the irrepressible optimist, sought to relieve and to redeem Israel from economic bondage, by leading them back to the soil. At first, he induced a few personal friends to advance money to such as were willing to go on farms. The money repaid by the first settlers was re-loaned to new applicants, and as the results promised to be successful, the Jewish Agriculturist's Aid Society of America was organized by him, a charter for which was obtained in 1900. At first, many were inclined to scoff and laugh at his enthusiasm and to chide him as an impractical dreamer. But he gradually succeeded in enlisting the interest of prominent men in Chicago and other cities. To obviate the failures that overtook former attempts at colonization, he sought to settle his *protegées* on individual farms among American gentile neighbors. Successful in settling over 400 Jewish families, scattering them throughout the West and Northwest, his Society was finally merged with the Jewish Agricultural and Industrial Aid Society, which has the Baron de Hirsch funds at its disposal. But though his organization went the way of all former societies of that nature, those of us who, like myself, were associated with him in his work still believe that much may be accomplished along the lines indicated by him. And "if he who saves but one soul in Israel is as worthy as if he had saved an entire world" (B. Syn. 21), how much more worthy is he who, like our departed brother, saved so many families from want and poverty. Many are those, out on farms or in the cities, who will exclaim with us: "*Haval al d' avadin*—woe unto us, we have lost him." And many of our colleagues will join me in uttering: "*ṣar li alecha, achi*—I am distressed for thee, my brother, very dear hast thou been unto me" (II Sam. I, 26).

Be it Resolved, therefore, That the Central Conference of American Rabbis record its sense of deep regret at the untimely death of its worthy member, and express its unqualified appreciation of Rabbi Levy's work in behalf of the poor.

And be it further Resolved, That these resolutions be spread upon our minutes and a copy thereof be sent to the bereaved widow and family of our brother.

RESOLUTIONS IN MEMORY OF BERNHARD BETTMANN

When the Angel of Death summoned to his eternal home our beloved, revered and faithful friend,

BERNHARD BETTMANN,

he bestowed a well-earned rest upon a man, who, for more than half a century, had rendered distinguished service to American Israel.

And he placed "the crown of a good name" upon the sage, who in a critical, transitional age, brought to the development of American Judaism an intense admiration of the Torah, an unshakable faith in the teachings and ideals of the religion of our fathers, and a rare appreciation of the importance and dignity of the rabbinical office.

The Central Conference of American Rabbis deems it a privilege to make grateful acknowledgement of his invaluable services to the Jews of our country, through the example of his fine personality, through the wisdom of his counsel and through his support of every movement towards union and solidarity in American Israel.

The Central Conference of American Rabbis would make this record of its appreciation of the noteworthy service of this wise leader in the councils of the Union of American Hebrew Congregations; this faithful watchman in the high-tower of the Hebrew Union College; this loyal and untiring co-worker of the founder of our Conference, through the long and valiant struggle for the spiritual emancipation and development of American Judaism.

Therefore, be it Resolved, that a page of our Yearbook be dedicated in honor and in memory of Bernhard Bettmann and that a copy of these resolutions be sent to his mourning widow and children.

JOSEPH STOLZ, *Chairman*
MOSES BUTTENWIESER
GOTTHARD DEUTSCH
SOLOMON B. FREEHOF
MOSES J. GRIES
LOUIS GROSSMANN
MAXIMILIAN HELLER
JACOB Z. LAUTERBACH
JULIAN MORGENSTERN
DAVID PHILIPSON
SAMUEL SCHULMAN
Committee

E.

SAMUEL HIRSCH

By RABBI MAURICE LEFKOVITS*

Samuel Hirsch, the one hundredth anniversary of whose birth occurred on June eighth, has a rightful claim on the grateful appreciation of the Jews of the world, both of those denominated orthodox, as also of those enlisted in the ranks of reform. For Samuel Hirsch was both defender of orthodoxy and champion of reform. His philosophy, primarily a vindication of conservatism, necessarily leads, in its logical implications, to the advocacy of progressivism.

This may sound somewhat paradoxical, but a brief analysis will prove the statement entirely correct.

At the time Hirsch wrote his *Religionsphilosophie der Juden*, a work of amazing learning for a man less than twenty-seven years of age, Hegel was the dominant figure in the world of philosophic thought. This intellectual giant, with his iron chain of logic and his famous formula of Thesis, Antithesis and Synthesis, construed history as a continuous self-unfoldment of the Absolute Spirit, a perpetual self-realization of God. From this he drew the natural inference that whatever is, whatever has achieved the status of an established reality, is, by the very fact of its having assumed such status and thus become a partial manifestation of God, rational and reasonable.

This theory was at first applied in the way most desired at the time. It was the period known in German history as the "*Restaurations-Periode*," the period which followed immediately upon the defeat of Napoleon at Waterloo, and which was

*Rabbi Lefkovits, being called upon, at the last moment, to substitute for the original assignee of the paper, did not have a written paper, and the following is a stenographic report of his address.

characterized, in the main, as a period of reaction in favor of genuine Germanism as over and against the French-Napoleonic innovations. The Hegelian doctrine that whatever *is* is rational and reasonable was used, most opportunely and effectively, in support of such reaction. It was the chief philosophic argument for the re-establishment, unchanged and unaltered, of the olden, time-honored Germanic institutions. Those institutions, being existing realities, and thus necessarily rational and reasonable, had a quasi-divine sanction, and any opposition to them was, therefore, to be deprecated as militating against the expressed will of the Absolute Spirit. The Absolute Spirit was on the side of conservatism and reaction.

Later, however, it was discovered that this self-same Hegelian doctrine contained also a justification of reform and progressivism. It was reasoned, and quite logically so, that if everything that *is* is, by mere fact of its Being, rational and reasonable, then whatever can be brought into being and given the status of an established reality, will likewise have to be regarded as rational and reasonable, a manifestation of the Absolute Spirit. And so there arose in Germany and elsewhere the so-called "left-wing" of the Hegelian school, the votaries of which were committed to pronounced progressivism in every province of human activity, culminating directly in the revolutionary uprisings of the year 1848. By its own logic, therefore, the Hegelian doctrine, at first the chief support of orthodoxy, became later the most effective weapon of reform.

Samuel Hirsch was an antagonist of Hegel only on Jewish grounds; in every other respect he was his most devoted admirer. In his very polemics against the great logician, Hirsch freely employs the master's dialectic methods, and in every line of his the Hegelian influence is unmistakable. Now Hirsch, primarily a philosopher, approached Judaism as a philosopher; he found it to be an existing reality; yea, a reality dating back its existence thousands of years. Hegelian as he was, he naturally concluded that, being an existing reality, Judaism must be rational and reasonable, an enduring manifestation of the Absolute Spirit. He further found that Judaism's chief source of inspiration was the Bible, and thus he drew the secondary inference that the Bible, too, must perforce be rational and

reasonable. Hence, Hirsch felt impelled to employ his great brain power and profound erudition to prove philosophically the infallibility of the word of God as embodied in Holy Scriptures. He upholds every pronouncement contained therein, whether commandatory or prohibitory, whether ethical, ritualistic or ceremonial, as being of equal obligatory character, seeing that they are all basic to the existing reality of Judaism, and thus all alike expressions of the Will of God. Even the miracles he declares to have actually occurred, since such miracles were philosophically necessary for the establishment of Judaism as an existing reality. Hirsch is thus in his *Religionsphilosophie*, his earliest work, a thorough orthodox, a conservative of the conservatives,—and he is such, let it be frankly stated, largely because victimized by the logic of the Hegelian doctrine that whatever *is* is rational and reasonable.

Later, Hirsch discovered that the self-same Hegelian doctrine logically implied an incentive toward, and justification of, reform and progress and, impelled by the force of such logic, which in this case was in accord with his truest convictions, he became as bold a champion of reform as he had formerly been an uncompromising advocate of orthodoxy. Thus, while his *Religionsphilosophie* and *Messiaslehre* are thoroughly orthodox in reasoning and teachings, his later writings, notably his *Die Reform im Judenthum*, *Die Sabbath Frage*, *Die Religion als Humanitaet*, etc., are outspokenly reform in both intent and content. He virtually comes to disclaim the obligatory character of the ceremonial system; declares that symbols are merely a means to an end and must be discarded when no longer purposeful; is in favor of the abrogation of the dietary laws; urges the transference of the Sabbath to the first day of the week; and proclaims Judaism as destined to be the doctrine not of the Jew but of man, the religion not of Israel alone but of all humanity.

It was perfectly natural that Hirsch should have gone through the same process of philosophical and religious development through which passed many others of the Hegelian school. For when he entered the arena, he did so not as protagonist of reform but solely as defender of Judaism. Circumstances then existing necessitated the concentration of his powers, not upon the advocacy of any particular aspects of his faith, but

upon the vindication of Judaism as such. It was his very master Hegel who forced him to take up the cudgels. Hegel had condensed the evolution of religion into his formula of Thesis, Antithesis and Synthesis, classifying the primitive cults, which were based on innocence born of ignorance, as the Thesis; the pagan cults, rooted in the reality of sin and burdened with the consciousness of the inescapability from sin, as the Antithesis; and assigning to Christianity the exalted position as the Synthesis, it being the highest harmonization of sin and goodness through the intercession of divine redemption, the grace of atonement. Judaism Hegel had relegated to an altogether inferior place, characterizing it as a vain and futile attempt to lift the contrast between right and wrong, vice and virtue, innocence and sin, through the iron despotism of an incomprehensible law. It is here that Hirsch takes issue with his master. He denies the claim of Christianity to being the Absolute religion, and devotes his energy to proving that that distinction belongs exclusively to Judaism. Hegel's graduation of religious evolution is erroneous, Hirsch avers. The Thesis, to be sure, is innocence based on ignorance, but the Antithesis is not the necessity of sin and the inescapability from sin. Therefore any religion based on the premise of sin's necessity and inescapability, except through supernatural mediation, cannot by any possibility be the Absolute religion. It is Judaism and Judaism alone, that successfully solves the inherent struggle between sin and innocence, virtue and vice, right and wrong. It alone is the Synthesis, the Absolute religion.

Judaism starts out with the pronouncement that God created man in His own image,—that man is a God-like being. The Godlikeness in man is his capacity for freedom. That Freedom consists, in the last analysis, in man's acting and living in accord with the will of God, in accord with the dictates of virtue, right and truth imbedded in man's conscience by the Creator Himself. When man makes the will of God his own conscious will, then is man truly free. When the extraneous divine compulsion becomes the inner human impulsion, then is man truly sovereign, truly a God-like being, truly his real being. But man can achieve such sovereign spiritual freedom only through incessant struggle with sensual slavery. He can awaken

to the exhilarating sense of sovereignty only through the depressing sense of possible enslavement. Hence both freedom and slavery must of necessity be within man's power. His duty it is to struggle up to freedom, but in order that freedom may have content and merit for him, he must have the power and possibility to submerge, if he so please, into slavery. Freedom, without its possible opposite would be a mere abstract concept, void of all ethical purport and meaning. It becomes charged with content only when contrasted with a possible converse state. Even so can virtue and goodness have moral value if, and in so far only as, their opposites, sin and evil, are possibilities. Hence the very possibility of sin, the very power to submit, if one please, to the slavery of Nature, is a necessary prerequisite of freedom, of absolute freedom. But such possibility must always remain a possibility only. It must never become an actuality. If such it does become, it evidences man's surrender to Nature, his abdication as a moral sovereign. And to be a moral sovereign, to make the will of God imbedded in man's soul his own conscious will, is man's God-given destiny. It is a destiny wholly within man's power. He must, therefore, he can. "Holy shall ye be, for I the Lord your God am holy." This is the divine charge given to man. He must and, therefore, he can be holy, a being of absolute freedom. He can be such, alike because of the power to be the opposite, if he so will, and because of the power to conquer the propensity to be the opposite. The man who steadily and consistently, all through his life, conquers the lower freedom,—which is really slavery to Nature,—is the holy man, the God-like man, the truly free man.

In brief, Hirsch differs with Hegel chiefly in this, that while Hegel postulates the necessity of sin and the impossibility of escape from sin, save through supernatural intercession (Christ), Hirsch admits the necessity of the *possibility* of sin, but denies emphatically the necessity of the *actuality* of sin. The possibility of sin is necessary in order to give content to freedom, but the actualization of sin is subversive of true freedom, and therefore its avoidance is a categorical imperative. Man being destined for true freedom, he must and can eschew the realization of sin, recognize it and keep it merely as a possibility,

constantly holding in check the propensity to it, and thus attain to his destiny of a God-like being, a being of Absolute Freedom.

Hirsch thus shows that the true Synthesis is not Christianity, which is rooted in the false presumption of the necessity of sin, but Judaism, which, while recognizing the necessity of the possibility of sin, makes it man's duty to conquer the inclination thereto, and thus dissolves the eternal conflict between sin and goodness through the spiritual power, innate in every man, to overcome his lower freedom to sin by his higher potentials for virtue,—to be a truly and absolutely free man.

With marvelous homiletical acumen, Hirsch endeavors to show that this is clearly set forth in the Bible. Adam personifies the Thesis,—innocence born of ignorance; the serpent symbolizes the Antithesis, Sin; and Eve, the temptation thereto, Naturalness. No man can escape temptation, but all men must and can conquer it. Adam, yielding to temptation, falls from the Thesis of innocence into the Antithesis of Sin, excusing himself by saying that, sin being more powerful than man, he could not help yielding to it. He has fallen into the state of the Antithesis postulated by Hegel, viz., the sense of the necessity of sin and the impossibility of escape from it. It was Abraham who first recognized the true Synthesis; gaining a true conception of God and of man's God-likeness, he perceived the proneness of man to succumb to sin, but also his duty and power to overcome it. Because of this, his high cognition, Abraham became the favorite of God, and because he was God's favorite, his descendants were elected by God as His chosen people. Upon them there was imposed a twofold duty; first, to demonstrate in their own lives man's true destiny, and secondly, to teach the concept thereof to the world at large. For the purpose of facilitating the fulfillment of their first duty, their whole history was designed as a process of intense discipline, such discipline continuing until the erection of the second temple; with the destruction thereof, and their consequent dispersion, they entered upon the realization of their second duty, the mission of teaching the truths entrusted unto them to all humanity.

Incidental to their intensive discipline, they were bidden to observe certain precepts, rites and ceremonies, as set forth in their Holy Scriptures; but being designed only for their own

discipline, such precepts, rites and ceremonies are binding only on the people of Israel and upon none other; and upon them if, and in so far only as, they still subserve their primary purpose. If they no longer do so, or if other means are better adapted for the furtherance of said purpose, the olden and contentless precepts, rites and ceremonies must be discarded. There must be nothing in Judaism but what is rational and reasonable. The fundamental doctrine of Judaism is man's freedom; freedom always means reason and rationality; hence whatever militates against these is subversive of Judaism's basic principle and must therefore be eliminated. All the truths of Judaism are self-confirmatory; they find their justification and verification in themselves; they are dependent upon no external sanction for their authority. The wonders and miracles related in Israel's Holy Scriptures are not intended to *condition* the truths contained therein. The ten commandments would be binding on humanity and find approval and sanction in the human conscience, even though their proclamation had not been accompanied by unusual circumstances. The wonders and miracles were merely intended to make the people see the truths, but not to verify the truths themselves. These truths are self-authoritative and self-revelatory.

From this it follows that, strictly speaking, Judaism is not Revelation. It is not a revealed religion, in the accepted sense of the term. For Revelation implies the unfoldment of truths which are of supernatural character, not susceptible of being evolved by the human conscience itself, and the acceptance of which nevertheless conditions man's salvation. Judaism, however, knows naught of any truths which transcend the bounds of reason, and deprecates the imposition of alleged supernatural verities, incomprehensible and understandable, as militating against man's God-given freedom. All the truths necessary for man's salvation are self-revelatory, are imbedded in man's own conscience, and are, therefore, to be accepted by all men, even those who never heard of Sinai or any other revelation.

Again, Judaism is not *Nationalism*, either in a political sense or in the sense that the God of Judaism is only the God of Israel. Were the former true, then would we have ceased to be Jews ever since the destruction of our national entity. The

latter supposition is contradicted by Judaism's teachings that the God of Israel created all nations, that He suffers no other gods beside Him, that He demands obedience of all nations, and that He judged the peoples of the earth long before Israel appeared on the scene of history.

Further, Judaism is not *Confession*; for that implies the profession of truths which have import and value only for those who formally profess them,—truths which are not rooted in the mind and conscience and spirit of man as such, but which enlighten and illumine the soul only through special and extraneous grace (Christ); whereas Judaism proclaims such truths only which every child of God could evolve out of his own consciousness, find approval for in his own conscience, and which demand acceptance without the confirmatory evidence of wonders and miracles; truths which, in fact, were to a degree perceived and practiced already by Noah, *i. e.*, at a time preceding by centuries God's covenant with Israel, thus testifying to the inherent humanity and universality of Judaism.

Judaism is history and the religion of history; *and the Jews are the living witnesses of this religion of history.* The Bible is not a norm of beliefs nor a code of dogmatics; it merely tells the story of Israel's discipline towards freedom. It tells of how God created man, not free, good and holy but with the capacity for freedom, goodness and holiness; of how man followed Nature rather than Reason and became a slave to sensuality; of how then God selected an humble people, and through a thousand years' discipline trained that people to a recognition of man's exalted destiny of freedom; and finally, of how God charged that people with the mission of teaching the high concept of man's true being and calling to all the peoples of the earth. The Bible is thus primarily "Erziehung-Geschichte," setting forth the story of Israel's divine training toward freedom, but a story which is, at the same time, the typical story of all nations and races and peoples that would struggle up toward freedom. Israel's mission is thus a twofold one; intensively, he must train and tutor himself; extensively, he must give the benefit of such self-training and self-tutoring to the world at large. The great, outstanding truth of man's freedom must not remain the exclusive possession of the Jew; he must endeavor to make all

humanity appropriate it. Only, since the Jew was the first to conceive this truth and since he is, by divine commission, the banner bearer *par excellence* of this truth, he must retain and maintain his peculiar and unique individuality. He must forever remain a Jew, always conscious of his mission to himself and also of his mission to humanity. Hence certain precepts, rites and ceremonies are obligatory upon him, which are not binding upon others. They are obligatory upon him because they tend to impress upon him and keep ever present in his mind either his intensive task toward himself or his extensive mission to mankind at large. But being merely a means to an end, they are naturally subject to change. They do not partake of the immutability of the Law. They are merely precepts (*Lehre*) educational methods serving a higher end; and if, owing to changed circumstances they no longer prove serviceable, or if newer and better methods present themselves, they not only may but must be discarded. Thus the dietary laws, for example, were at one time obligatory upon the Jew, because they served to train him in self-control (without which true freedom is impossible) and also to fill him with a sense of consecration to his mission; today, however, with our increased facilities for first-hand knowledge, it may well be asked if better methods, serving more effectively the same purposes, could not and ought not rightfully to supplant those of the dietary laws. Hirsch is inclined to believe, in his later writings, that they could and should be supplanted. Similarly he holds that the Sabbath should be transferred from the seventh to the first day of the week. His reasoning, though somewhat casuistical, is essentially this; that since the prime purpose of the Sabbath is to evidence man's capacity for freedom, it matters little on what day the Sabbath is kept, so long as its spirit is conscientiously observed; and since modern economic conditions make its observance on the seventh day, after *six* days of labor, impossible, seeing that the Jew would have to observe also Sunday and thus work only *five* days, its transference to the first day of the week is not only permissible but peremptory. It goes without saying that Hirsch strongly deprecates the Talmudic tendency of keeping precept upon precept, rite upon rite, and prohibition upon prohibition. He boldly declares that rabbinism, with its innumerable pro-

hibitions, and Judaism, which is essentially freedom, are altogether incompatible.

In general outline, Hirsch's whole system of Jewish philosophy may be summed up as follows: Absolute Freedom means following the will of God, imbedded in man's conscience, as one's own will; man's duty and destiny is to struggle up to Absolute Freedom; Judaism, with its precepts, rites and ceremonies, is a discipline toward Absolute Freedom; Israel is the author and teacher of the ideal of Absolute Freedom; being the author and teacher of the ideal of Absolute Freedom, Israel must remain a unique and distinct people until such time as said ideal shall have become the universal possession of all humanity. From this follow some important principles; Israel is to remain a unique and distinct entity, but an entity imbued with a universal purpose. It is to be maintained as a peculiar people, but only for the purpose of becoming a kingdom of priests with a world-wide congregation to minister to. The laws, precepts, rites and ceremonies of Judaism are merely intended as educational or disciplinary methods; either to help the Jew by himself attain to the ideal of Absolute Freedom, or to impress upon him his uniqueness as God's chosen instrument to bring the same ideal home to the world at large. Hence, whatever in Judaism subserves either of these purposes is valid, is of binding authority and must be retained; whatever no longer subserves either of those prime objects, or whatever can be supplanted by better means, more effectively furthering those purposes, not only may but must be so supplanted or abrogated. A unique people, exemplifying, teaching and serving a universal ideal! A peculiar people dedicated to the service of humanity! This is the whole philosophy of Jews and Judaism; and this, too, should be the guiding principle of the lives of Jews and of all reformed in Judaism. Zionists and anti-Zionists, radicals and conservatives, might with profit ponder this great principle of Samuel Hirsch, a Unique People with and for a Universal Purpose!

Samuel Hirsch was himself a unique personality, unique intellectually and temperamentally; but all through his eventful life he dedicated his remarkable endowments of mind and heart to the service of Judaism and humanity. "The memory of the righteous is a blessing."

LIST OF BOOKS AND ARTICLES BY DR. SAMUEL HIRSCH

AND ARTICLES ON SAMUEL HIRSCH*

I. SEPARATE WORKS

1838

Was ist Judenthum und was dessen Verhältniss zu andern Religionen? Berlin, 1838. 8.

1839

Friede, Freiheit und Einheit. Sechs Predigten, gehalten in der Synagoge zu Dessau. Dessau, 1839. 8.

1842

Die Religionsphilosophie der Juden; oder, Das Princip der jüdischen Religionsanschauung und sein Verhältniss zum Heidenthum, Christenthum und zur absoluten Philosophie dargestellt und mit den erläuterten Beweisstellen aus der heiligen Schrift, den Talmudim und Midraschim versehen. Leipzig: H. Hunger, 1842. XXXII, 884 p., 1 L. 8.

Another title-page reads: Das System der religiösen Anschauung der Juden und sein Verhältniss zum Heidenthum, Christenthum und zur absoluten Philosophie. Für Theologen aller Konfessionen so wie für gebildete Nichttheologen dargestellt und mit den erläuterten Beweisstellen aus der heiligen Schrift, den Talmudim und Midraschim versehen. Erster Band: Die Religionsphilosophie der Juden. [No more published.]

Contents: Einleitung. Kapitel 1. Das Ansich der aktiven Religiosität und der Abfall von ihr. 2. Die passive Religiosität oder das Heidenthum in seiner sich selbst vernichtenden Dialektik. 3. Die aktive Religiosität. 4. Die intensive Religiosität, oder die Offenbarung Gottes in Israel. 5. Die extensive Religiosität oder das Christenthum. 6. Die absolute Religiosität.

———Steinthal, Hermann or Hymann. Ein jüdischer Religionsphilosoph unseres Jahrhunderts. Vortrag. [Analysis of S. Hirsch: Die Religionsphilosophie der Juden.] (Allgemeine Zeitung des Judenthums. Berlin, 1895. f. Jahrg. 59, p. 126-128, 138-140.)

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*Compiled with the kindly assistance of A. S. Oko, Librarian, Hebrew Union College.

———Samuel Hirsch and his philosophy of religion. A lecture. [Translated from the ms.] (Reform Advocate. Chicago, 1895. f. v. 9, p. 11-13, 25-27.)

1843

Das Judenthum, der christliche Staat und die moderne Kritik. Briefe zur Beleuchtung der Judenfrage von Bruno Bauer: [Die Judenfrage. Braunschweig, 1843.] Leipzig, 1843. 8.

Die Messiaslehre der Juden in Kanzelvorträgen. Zur Erbauung denkender Leser. Leipzig: H. Hunger, 1843. VIII, 416 p. 8.

Contents: 1. Die Freuden und Leiden der messianischen Zeit. 2. Jisraels leidenvolle Vergangenheit. 3. Jisraels Gegenwart, oder das Verhältniss des jetzigen Jisraels zum Staate. 4. Das alte und das neue Heidenthum. 5. Die Wunder, oder Gottes Wege in der Welt und Gottes Pfade in der Geschichte. 6. Und sie sprachen: Wir wollen nicht gehen. 7. Die Erscheinung Gottes auf dem Berge Sinai und das Wesen der göttlichen Weissagung. 8. Die Offenbarung Gottes in Jisrael. 9. Die Beschneidung. 10. Die Speisegesetze. 11. Die rechte Sabbathfeier und ihre Bedeutung. 12. Das Pesachfest, die Kindheit Jisraels, oder die Andeutung des Heils. 13. Das Wochenfest, das Knabenalter Jisraels, oder die Aneignung des Heils. 14. Der neunte Ab, das Jünglingsalter Jisraels, oder die Erziehung zum Heil. 15. Der Tag der Posaune, Jisraels Mannesalter, oder die Erneuerung im Heil. 16. Der Versöhnungstag, Jisraels Mannesalter, oder die Bewährung des Heils. 17. Das Hüttenfest, Jisraels Greisenalter, oder die Ernte des Heils. 18. "Tefillin, Mezuzah, Zizit," oder die Nothwendigkeit der Zeremonien für den Einzelnen, für das Haus und für die Erfüllung von Jisraels Beruf. 19. Jisraels Nationalität und Rückkehr nach Palästina. 20. Der persönliche Messias.

"Es sollte diese Sammlung als ein populärer Auszug aus des Verfassers 'Religionsphilosophie der Juden' und als ein Vorläufer seiner 'Cultusphilosophie' [not published] angesehen werden können." (p. vi.)

1844

Die Reform im Judenthum und dessen Beruf in der gegenwärtigen Welt. Leipzig: H. Hunger, 1844. 1 p. L., 69 p. 8.

[Contents: I. Die bisherige religiöse Weltanschauung. II. Gott, Offenbarung und Judenthum. III. Die lügenhafte Reform. IV. Die wahre Reform.]

1846

Die Sabbathfrage vor der dritten [Breslau, July 13-24, 1846] Rabbinerversammlung. Ein Votum. Berlin: Selbstverlag des Verfassers, 1846. 31 p. 12.

Printed as ms.

1856

Systematischer Katechismus der israelitischen Religion, auf Beschluss des Vorstandes der israelitischen Gemeinde zu Luxemburg, herausgegeben.

Luxemburg: V. Buck, 1856. 1 p. L., iv, 3-190 p. 16.

Contents: Buch 1. Geschichte. Buch 2. Offenbarung. Buch 3. Die Lehre. Buch 4. Die Anbetung. Buch 5. Leben.

1858

Die Humanität als Religion. Trier, 1858. 8.

Judaism and Christianity, from "Humanity as Religion." Translated by E. G. Hirsch. (*Jewish Times*, v. 1, no. 26, 28-29, 31, 33-35, 39, 42, 46.)

1867

Das Nothwendigste aus der Formen-Lehre der hebräischen Sprache, nebst kurzem Wörterbuche zu den hebräischen Gebeten im "Olat Tamid" [of David Einhorn]. Zum Gebrauche der Schüler der Reform-Gemeinde Keneseth Jisrael zu Philadelphia. Philadelphia: Grossmann & Goodman, 1867. v, 7-91 p. 16.

Predigt gehalten am "Shemini Azeret," 5628, in der Synagoge der Ref. Gem. Keneseth Israel, in Philadelphia. Philadelphia: Stein & Jones, 1867. 18 p. 8.

Text: "Die Lehre, die uns Moscheh anbefohlen, ist Erbbesitz der Gemeinden Jakobs."

———Leeser, Isaac. [Criticism of the "Predigt."] (Occident. Philadelphia, 1867. 8. v. 25, p. 451-455, 535-540.)

———Hirsch, Samuel. Dr. S. Hirsch an Isaac Leeser. [Reply to the criticism by I. Leeser of the "Predigt."] (Deborah. Cincinnati, 1867-1868. f. Jahrg. 13, p. 98.)

1868

Dr. [Marcus] Jastrow und sein Gebahren in Philadelphia. Ein ehrliches, leider abgenöthigtes Wort. Philadelphia, 1868. 25 p. 8.

———Ein Pamphlet von Dr. S. Hirsch. [Review of his: Dr. Jastrow und sein Gebahren in Philadelphia.] (Deborah. Cincinnati, 1867-1868. f. Jahrg. 13, p. 142.)

———Szold, Benjamin. Auch ein Wort über Jastrow & Hirsch. Baltimore, 1868. 20 p. 8.

———Hirsch, Samuel. [Reply to the pamphlet: Auch ein Wort über Jastrow & Hirsch.] (Deborah. Cincinnati, 1867-1868. f. Jahrg. 13, p. 187.)

———Noch einmal, hoffentlich zum letzten Male, Dr. Jastrow. (*Ib.* p. 190-191.)

"Die neue Brochüre des Dr. Jastrow gegen mich—es ist nämlich hier die allgemeine Ansicht, dass nicht B. Szold, sondern eben Dr. Jastrow ihr Autor ist." . . .

———Staatsrechtliches. [A further reply; with particular reference to the accusation made in the pamphlet: Auch ein Wort über Jastrow &

Hirsch, that as regards his theory of state, Hirsch was an "opportunist." (*Ib.* p. 190, 194-195.)

1877

Systematischer Katechismus der israelitischen Religion. Zweite verbesserte und vermehrte Auflage. Philadelphia: Hirsch & Larzelere, 1877. vi p., 1 L., 215 p. 16.

1878

Biblisches Lesebuch. Philadelphia, [1878?].

1879

Rev. Dr. David Einhorn. Gedächtniss-Rede, gehalten vor seinem Sarge . . . den 6ten November, 1879. [Philadelphia: E. Hirsch & Co., 1879.] 9 p., 1 port. 8.

II. ARTICLES IN FRENCH

(Contributed to the Archives Israélites. Paris, 1864-1866. 8.)

Religion et nationalité.—II. Notre religion et notre nationalité. (Tome 25, p. 694-697, 841-845.)

La vérité du Dieu-un et la mission d'Israel. (Tome 25, p. 1067-1071; Tome 26, p. 194-200.)

Les cimetiéres au point de vue israélite. (Tome 26, p. 341-346, 383-390.)

La rabbinat en France et en Allemagne. (Tome 26, p. 712-717.)

Les Pharisiens et les Saducéens. (Tome 26, p. 932-939, 1071-1078.)

Le judaïsme et l'égalité des races humaines. [Résponse à M. Lélut, de l'Institut.] (Tome 27, p. 574-578, 611-616, 703-706.)

III. ARTICLES IN GERMAN

(1. Contributed to Die Deborah. Cincinnati, 1866-1869. f.)

Ueber Israel's Mission. [Criticism of an article thus entitled and published in Deborah, Jahrg. 12, p. 94.] (Jahrg. 12, p. 103.)

———Die Conferenz. [A rejoinder to the article by S. Hirsch.] (Jahrg. 12, p. 106.)

Die amerikanische Orthodoxie. Artikel 1-4. (Jahrg. 13, p. 100, 114, 118, 122, 126.)

Rechte und falsche Orthodoxie. (Jahrg. 13, p. 130.)

Apparently a continuation of the four articles: Die amerikanische Orthodoxie.

Hut auf oder Hut ab [during prayer; a polemic against Marcus Jastrow's article in "Hebrew Leader," Jan. 17, 1868.] (Jahrg. 13, p. 118.)

[Open letter by S. Hirsch to the "Deborah," denouncing Marcus Jastrow's criticism made from the pulpit of the articles: Die amerikanische Orthodoxie.] (Jahrg. 13, p. 138.)

Das Judenthum der Freiheit und die Offenbarung. (Jahrg. 13, p. 130-131, 134, 138, 143.)

Die symbolischen Gebote. Tefillin. (Jahrg. 13, p. 134.)

Die amerikanische Orthodoxie und das mosaische Erbrecht. (Jahrg. 13, p. 146-147, 150-151.)

Die Bibel und das moderne Judenthum. (Jahrg. 13, p. 158-159.)

Die Bibel und die freie Forschung. (Jahrg. 13, p. 162-163.)

Die rabbinische Ehescheidung, der Get. (Jahrg. 14. p. 6, 10-11, 14.)

Die Abhülfe. [Pertaining to the Jewish law of marriage and divorce and the law of the land.] (Jahrg. 14, p. 26-27, 30-31, 34-35, 38-39.)

Chaliza. (Jahrg. 14, p. 46, 50-51, 58, 62-63.)

Judenthum und Polygamie. (Jahrg. 13, p. 198, 202, 206.)

Die Verordnung des Rabbenu Gerschom. (Jahrg. 13, p. 206.)

Die Wundererzählungen in der Bibel. (Jahrg. 14, p. 94-95, 102-103, 106, 110, 114, 118-119, 122-123.)

Wie allzuscharf schartig macht; oder, Wie die Extreme sich berühren. [Criticism of a sermon by Chief Rabbi Nathan Marcus Adler, who argued that the "second day" of festivals should be observed as holy as the "first day."] (Jahrg. 14, p. 14-15.)

Erklärung. [Regarding the principle underlying the marriage formula as adopted by the Pittsburg Conference.] (Jahrg. 15, no. 19, p. 2.)

(2. Contributed to the *Jewish Times*. New York, 1869-1874. f.)

Freiheit und Judenthum. (v. 1, no. 3, p. 11-12; no. 4, p. 12; no. 5, p. 12-13; no. 6, p. 11-12; no. 7, p. 11-12; no. 8, p. 12-13.)

Priesterpflicht, aber nicht Priesterrecht. (v. 1, no. 10, p. 11; no. 11, p. 11-12; no. 12, p. 11-12; no. 13, p. 10-11.)

Die talmudische Auffassung des Judenthums nicht falsch sondern nur ein überwundener Standpunkt. (v. 1, no. 14, p. 10-11.)

Die Humanitarier und das Reformjudenthum. (v. 1, no. 15, p. 10-11; no. 16, p. 10-11.)

The reform worship. (v. 1, no. 18, p. 3-4; no. 19, p. 3-4; no. 20, p. 4; no. 21, p. 5-6; no. 22, p. 3-4; no. 23, p. 4.)

Darf ein Reformrabbiner Ehen zwischen Juden und Nicht juden einsegnen? (v. 1, no. 27, p. 9-10; no. 28, p. 10; no. 30, p. 9-10; no. 31, p. 10; no. 32, p. 10; no. 33, p. 10; no. 34, p. 10; no. 35, p. 11; no. 36, p. 13.)

Der Nagel zum Sarge der winzigen jüdischen Race. [A phrase used by David Einhorn in an argument against mixed marriages; pertaining to the same subject.] (v. 1, no. 47, p. 10-11.)

———Einhorn, David. Noch ein Wort über gemischte Ehen. [A reply to S. Hirsch.] (*Ib.* no. 48, p. 10-13.)

Sermon, delivered on Sunday, May 14th, the opening day of the German Peace-Festival. (v. 3., p. 196-198.)

Gott, Persönlichkeit, Sünde, Vergebung. (v. 3, p. 297, 313-314, 330-331, 346-347, 363, 378-379, 394-395.)

Occasioned by the Cincinnati conference of rabbis, 1871.

Die Conferenz-Vertheidigung. [i. e. the conference held at Cincinnati, 1871.] (v. 3, p. 411-412.)

Indifferentism. [3 lectures; translated by E. G. Hirsch.] (v. 3, p. 437-438, 451-452, 484-487.)

Er will unsere Kapporeh werden! [Polemic against Rabbi I. M. Wise, relating to levirate.] (v. 4, p. 418-419.)

Herrn Dr. [Marcus] Jastrow. [Regarding mixed and civil marriages and the Jewish law.] (v. 5, p. 542-543, 559, 574-575.)

(3. Contributed to Der Zeitgeist. Milwaukee & Chicago, 1880-1882. f.)

Zur Abwehr. —Reply to a communication entitled: Das höchste Ziel des Judenthums ist das wahre Menschenthum? and signed "Ein Freidenker." (Jahrg. 1, p. 88-89.)

Darf ein Reform-Rabbiner Ehen zwischen Juden und Nichtjuden einsegnen? (Jahrg. 1, p. 108-109.)

Theorie und Praxis. [Pertaining to the question of burial of non-Jews in Jewish cemeteries.] (Jahrg. 1, p. 162.)

Jakob. [Biblical criticism.] (Jahrg. 1, p. 408-409.)

Bibelkritik und Reformjudenthum. (Jahrg. 2, p. 143.)

Schechem. [Biblical criticism.] (Jahrg. 2, p. 175.)

Was ist Frömmigkeit im Sinne des Judenthums? I-III. (Jahrg. 2, p. 244, 258, 273.)

Articles II-III entitled: Die jüdische Frömmigkeit.

Das Reform-judenthum und die Bibelkritik. (Jahrg. 2, p. 356.)

Auch ich bin für die Synode des Herrn Dr. Isaac M. Wise. (Jahrg. 2, p. 368-369.)

Extract of the above is given in English translation in: Views on the synod; compiled by Committee of the Central Conference of American Rabbis. Baltimore, 1905. 8. p. 73.

Zur Berichtigung. [Regarding the report then current that the Keneseth Israel congregation was to engage an associate rabbi to Samuel Hirsch who would preach in English.] (Jahrg. 3, p. 183.)

IV. MISCELLANEOUS

Gutachten. (In: Zulaessigkeit und Dringlichkeit der Synagogen-Reformen begutachtet von vorzüglichen in-und ausländischen Rabbinen. Wien, 1845. 12. p. 42-47.)

Anträge. (In: Protokolle der Rabbiner-Conferenz abgehalten zu Philadelphia, vom 3. bis zum 6. November, 1869. New York, 1870. 8. p. 66-68.)

See also "Protokolle" of the 1. (Braunschweig), 2. (Frankfort on the Main), 3. (Breslau), "Rabbiner-Versammlung."

V. BIOGRAPHICAL MATERIAL AND STUDIES

Bernfeld, Simon. Da'at Elohim. Warsaw, 1897-1899. 2 v. [continuous paging]. 8. (p. 595-597.)

[Communications regarding S. Hirsch's resignation as rabbi of the Dessau community.] (Allgeneine Zeitung des Judenthums. Berlin, 1842. 4. Jahrg. 6, p. 122-123, 169.)

Festprogramm zu seinem 70. Geburtstage.

Hirsch, Emil Gustav. Reform Judaism. Discourse at the celebration of Dr. Samuel Hirsch's 70th Anniversary, delivered by his son [E. G. Hirsch.] [Philadelphia: E. Hirsch & Co., 1885.] 16 p. 8. In memory of Dr. Samuel Hirsch. [Chicago: S. Ettlinger, 1889.] 32 p., 1 port. 8.

Contents: Prayer, J. Stoltz—Memorial address, K. Kohler. In memory of S. Hirsch, S. Sale.—Funeral oration, I. S. Moses.—Leichenrede, K. Kohler. Gedächtnissrede, B. Felsenthal.—Grabrede, L. Maier.—Schluss-Rede, L. Adler.

Kohler, Kaufmann. Zur Erinnerung an Dr. Samuel Hirsch. Gedächtnisrede. (Populär-wissenschaftliche Monatsblätter. Frankfurt a. M., 1889. 8. Jahrg. 9, p. 265-268.)

Repr.: Hirsch, Samuel—In memory of Dr. S. Hirsch. [Chicago, 1889.] 8. p. 18-22.

Markens, Isaac. The Hebrews in America. New York, 1888. 8. (p. 302-303.)

Morais, Henry Samuel. The Jews of Philadelphia. Philadelphia, 1894. 8. (p. 92-93.) [See also Index.]

Wiernik, Peter. History of the Jews in America. New York, 1912. 8. (p. 167.)

See also the histories of Graetz and Jost.

See also "The Reform Advocate," May 29, 1915, Chicago, Ill. Special Anniversary Number, containing articles on Samuel Hirsch.

Emil G. Hirsch, "My Father and Teacher," "Samuel Hirsch as a Preacher."

Kaufman Kohler, "Samuel Hirsch, a Historical Study."

Joseph Krauskopf, "A Tribute to the Centenary of Samuel Hirsch."

Max Landsberg, "Samuel Hirsch, the Philosopher of the Reform Movement."

Samuel Sale, "In Commemoration of the Hundredth Anniversary of Samuel Hirsch."

William Armhold, "Reminiscences of Samuel Hirsch."

And other pertinent articles.

F

MAX LILIENTHAL

RABBI DAVID PHILIPSON

It has become the laudable custom of our Conference to commemorate the centenaries of the birth of great Jewish leaders, notably such as were the outstanding figures in the early years of our liberal movement, by papers setting forth the salient facts of their life work and the distinguishing contributions they made to the service of progressive Jewish thought and endeavor. Holdheim and Geiger, Einhorn and Adler, Philippson, Stein and Loew, leading theologians, preachers, scholars and reformers have already received such fitting and proper recognition at our hands and have been given honored and distinguished tribute in our annals. This year, 1915, marks the one hundredth anniversary of the birth of two other leaders who contributed greatly towards making the record of liberal Judaism glorious, Samuel Hirsch, the philosopher, and Max Lilienthal, the conciliator. The duty of presenting the record of the fine service of the latter has been entrusted by his colleagues to the present speaker, the pupil, successor and biographer of him who was strikingly named during his lifetime and after his passing, the American Jewish Prince of Peace.

Max Lilienthal was born in Munich, Bavaria, on the sixteenth of October, 1815. His parents were in affluent circumstances and his father held a distinguished place in the Jewish community. According to a family tradition, the mother, who died while this son was in his teens, expressed the wish on her death-bed that he pursue the rabbinical career. With this end in view, the youth matriculated at the University of Munich and at the same time received instruction in the Hebrew branches of learning from Rabbi Moses Wittelsbacher. He also attended the

famous yeschibah of Wolf Hamburger in Fuerth. He received the rabbinical degree from Hirsch Aub, rabbi of Munich.

Lilienthal passed so brilliant an examination in taking his degree at the University that he was offered a position in the diplomatic service. Although it had been his fixed purpose to follow the rabbinical career, still this offer was so attractive that he felt impelled to accept it, notably since, owing to the loss of the family possessions through a disastrous fire, he, as the eldest of the children, felt it incumbent upon him to assist in the rearing of his brothers and sisters. However, upon being informed that, if he accepted this post, he must become converted to Catholicism, he rejected the offer indignantly. This closed the incident, the minister of foreign affairs assuring him that such being his attitude, he could not possibly pursue a diplomatic career in Bavaria.

He turned definitely now to what had been his heart's desire from the first, the rabbinical office. But a change had come upon the government's legislation in the matter of filling these offices. The movement for religious reform was alarming the adherents of traditional Judaism. They succeeded in impressing the government with the dangerous tendencies of the "innovators", as the reformers were called. But in this bitter opposition to all religious reform, they were playing with fire; for the government was not satisfied with legislating against this alone, but, in 1838, an edict was issued which re-enacted all the harshest mediaeval restrictive measures against the Jews. And in that same year the order was issued forbidding congregations from selecting as their rabbis, such candidates as held liberal views, or, as the exact words of the decree put it, "candidates favoring destructive neology". Whether or no this was the reason why Lilienthal did not succeed in securing a position, there is no means of knowing, but the fact remains that he never officiated as rabbi for a Bavarian congregation. His work was to lie in other lands.

In the year 1838 he began publishing in the columns of the *Allgemeine Zeitung des Judenthums* a series of articles on the Hebrew manuscripts in the royal library of Munich. This literary work brought him into intimate connection with Dr.

Ludwig Philippson, the editor of the journal in question. It was through this circumstance that the opening years of Lilienthal's active career were passed, not as rabbi in a small Bavarian Jewish congregation, but as the companion of statesmen and diplomats in the great Russian empire. For it was Ludwig Philippson, the best-known German Jew, to whom Uwaroff, the Russian Minister of Education, turned for advice as to who should be entrusted with the superintendency of the new school to be established in Riga, the beginning of the great task of modernizing the Jewish schools in Russia. And Ludwig Philippson recommended Max Lilienthal as the young man who, in his opinion, was best equipped for this pioneer work.

He left his father's house on the eighth of October, 1839, for the land which was to be his home during five eventful years. He had little conception of the difficulties of the work he was entering upon. It was only after he had been settled in the country for a short time that he began to realize the immensity of the task he had undertaken at the instance of Uwaroff. He had much to learn and he learned it at bitter cost. He was the first German Jew of prominence to come into close connection with the inner life of Russian Jewry. His fascinating account of his work in Russia entitled "My Travels in Russia", which, unfortunately, is only a fragment, and his fine studies of the characteristics of the Russian Jew, published under the caption "Russian Sketches", contain the record of his work during these pioneer years and the impressions made upon him by his co-religionists in what was practically an unknown land to the Jews of western Europe. The great mass of Russian Jews had been touched in no way by the modern spirit; among them the rabbinical interpretation of the law held full sway. In the eighteenth century there had arisen in Russia the movement known as Chassidism, a protest against the rigorous legalism of rabbinical tradition; the sect of the *Chassidim*, noble and pure as were the motives of the founder, Israel Baal Shem, had degenerated into superstitious obscurantists whom the wonder working rabbis held in thrall. Still the effect of the newer efforts for secular education, so marked among German Jews since the days of Moses Mendelssohn, found an echo in some Jewish quarters in Russia. The men who headed these

attempts to bring their co-religionists into accord with the modern spirit are known as *Maskilim* and the movement which they sponsored, as the *Haskala* movement. This movement was concerned largely with the effort to found schools in which the children and the youth should receive instruction in what we now call secular branches as well as in the traditional Hebrew discippline, which had formed the entire content of their education hitherto. This *Haskala* movement in Russia was the reflex of the Mendelssohnian movement in Germany, but the obstacles in Russia, both within from the Jewish communities and without from the government, were much greater and progress was therefore much more retarded.

The *Maskilim*, chief among whom was Isaac Baer Levinsohn, had made great efforts to modernize education among their co-religionists. One such modern school had been founded in Odessa by Bazalel Stern, a native of Galicia.

In the year 1838 Count Uwaroff, the Minister of Education, came to Riga; the representative of the Jewish congregation presented to him a petition requesting governmental permission to open a school in two sections, the one for boys and the other for girls, wherein the Jewish religion was to be taught systematically and instruction in the Bible to be given after the German translation of Mendelssohn; the superintendent was to be a foreigner of the Jewish faith who had been trained in the spirit of pure enlightenment; the assistant was to be a Christian. This petition found favor in the eyes of Uwaroff and he considered it of such interest and importance that he laid it before the Czar. Being favored by the Emperor, the request to found the school was ratified. Steps were taken at once to put the plan into operation. As the school was, by the action of the Emperor, under governmental protection, Uwaroff undertook to secure a capable superintendent; as already stated, through the recommendation of Ludwig Philippson, the choice fell upon Max Lilienthal.

This school was opened in Riga on January 16, 1840. Lilienthal delivered the inaugural address in German. The young director devoted himself to his task with the greatest enthusiasm. Secular as well as sacred branches were taught.

The congregation also elected Lilienthal preacher. His sermons delivered in the German language attracted large con-

gregations of both Jews and Christians. The Jews recognized in a short time his earnestness and conscientiousness and the suspicions that they may have entertained soon disappeared. The rabbi of the community, a Talmudist of the old school, gave him a hearty welcome. Neither interfered with the sphere of the other. Lilienthal's fame spread beyond the confines of Riga. The *Maskilim* hailed him as a new and great leader. He entered into correspondence with a number of them, notably the famous M. A. Guenzberg and Nissin Rosenthal, the most prominent of the *Maskilim* of Vilna.

His great success in Riga made him a marked man. He was eulogized by the advocates of the newer education among the Russian Jews and denounced as a "Berliner" or "Datschel" and an innovator by the *Chassidim* and the followers of the old order. Uwaroff too, kept in constant touch with his work. After he had been active in Riga a year, Lilienthal was called to St. Petersburg by the minister to inaugurate the larger task of founding schools in all the Russian Jewish communities like unto that which he had manned so successfully in Riga.

Before proceeding further with the narrative, it may be well to say a word about the purpose of the emperor and his ministers in this matter of founding modern schools for the Jews. Many Jews were suspicious of the sincerity of the government; they looked upon the whole plan as a proselytizing scheme. Such claimed that the emancipation of the Jews, and this alone, would prove the sincerity of the government in its educational projects for the Jews. The entire attitude of the Emperor justified them in their suspicions. His efforts as ruler were directed towards the realization of his motto: "One country, one language, one church". It was these justifiable suspicions that proved the most difficult obstacle for Lilienthal to overcome.

In one of his conversations with Uwaroff, Lilienthal communicated to the minister this fear of the Jews that the Emperor's educational plan was merely a blind for wholesale conversion and that it was not sincerely meant. When asked how these apprehensions might be removed, he answered, "To grant at once their emancipation; or, if the government considers this step a hasty one, to grant them at least some favors, convincing them unques-

tionably that their religious rights will not be infringed upon nor their liberties be curtailed further and that a bright, hopeful future is in store for them." Uwaroff now assured him that the Emperor's intentions were only for the welfare of his Jewish subjects. That he trusted thoroughly in the representations of Uwaroff that there was no ulterior conversionist purpose in the plan, there can not be the least doubt, for as soon as, to his dismay, he became convinced to the contrary, he left the country, as shall appear shortly.

Lilienthal was entrusted with the task of persuading the Jews to accede to the governmental plan of establishing these schools for the young. He began his work along this line in Vilna where, largely through the active and enthusiastic support of Rosenthal, Klatzko and their friends among the *Maskilim*, Lilienthal succeeded in gaining the endorsement of the community for the governmental plan. From Vilna he proceeded to Minsk, having received an invitation from the Jewish leaders of that city to come there. The Jewish community of this city had shown no sympathy whatsoever with the *Haskala* movement but quite the contrary; most active opposition had been evinced against any and all such attempts. Lilienthal's friends and admirers among the *Maskilim* of Vilna, fearing that the invitation to Minsk was a plot to lure him from Vilna and to devise some scheme against him that would prevent the further prosecution of his work, implored him not to proceed to that city. They pointed out to him that he would be friendless there and in a hotbed of opposition and enmity. He felt, however, so secure in the strength of his mission and his ability to present it, that he proceeded undaunted to the stronghold of *Chassidism* and rigid orthodoxy. Here his reception was altogether different from that accorded to him in Vilna. He was bitterly insulted. It appeared at times that even his life was in danger. The fanatics mocked him, following him through the streets and shouting derisively "get thee gone, shaven one[1]; get thee gone".

[1] Being clean shaven, Lilienthal was looked upon with suspicion by the Russian Jews, who cut neither the corners of their hair nor their beards in obedience to the command, Lev. XIX, 27.

The meeting at which he set forth his plans was very stormy; all his eloquence availed him naught. He was utterly defeated.

The reactionaries carried the day and Lilienthal left Minsk to return to Vilna, feeling that the task he had undertaken would prove most difficult of fulfillment. The effect of his defeat at Minsk proved disastrous in Vilna. During his absence, his enemies had been active. They succeeded in reversing the sentiment of the community. Lilienthal, noting the change, asked that another meeting be called at which he might present his cause a second time, and possibly win over the people once again. He pleaded in vain. No second assembly was called. His experience in Minsk and his second attempt at Vilna convinced him that he must labor hard indeed to gain the Jewish communities for his cause.

He returned to St. Petersburg. Here, in conjunction with the department of the Ministry of Education, he worked out the plan for the organization of Jewish education. As a result of these deliberations, an edict was promulgated, the chief provision of which was that a commission of four members was to be elected by the Jews themselves which commission was to work out the plan for the reorganization of the Jewish schools.

Lilienthal was commissioned to visit the Jewish communities of Russia to acquaint them with the provisions of this edict, to induce them to accede peaceably to the governmental plan and to elect the members of the rabbinical commission as provided for in the edict. He was to undertake this journey as the representative of the Government; his journey was to proceed through all the provinces inhabited by the Jews.

In the fourth paragraph of the letter of instructions issued to him, the assurance is given that the religion of the Jews was not to be interfered with. Lilienthal had demanded that this be included in order that all suspicions might be dispelled and the consent of the Jews be thus obtained the more readily.

Before embarking on this all important journey, he issue his famous address to the Russian Jews entitled "*Maggid*

Jeshuah"[1] (The Announcer of Salvation). This remarkable document created a great stir among the Jews of Russia. It was in this address to his co-religionists that he announced the purpose of the government to convene the Commission on Jewish education that was to have four members elected by the Jews themselves who were to work out the plan for the schools that were to be established for the education of the Jewish young. He called upon his co-religionists to take advantage of the humane and well-intentioned purposes of the government. If they failed to avail themselves of this great opportunity their enemies would find comfort and justification in the claim that the wretched condition of the Russian Jews was their own fault and was due to their ignorance and superstition.

Lilienthal started forth on what may be called his propagandist journey to win the Jews to the governmental plan of reforming the Jewish educational system toward the end of July, 1842. His progress was almost in the nature of a triumphal march. He visited all the important cities in the provinces inhabited by Jews. He won them over to the government's plan. As a result of his journey, the Jews elected as the members of the Commission, Rabbi Isaac ben Chayim, head of the *yeshibah* of Volishin, the most celebrated Jewish seat of learning in Russia; Mendel Schneersohn, a leader of the *Chassidim*; Michael Heilprin, a

[1] The address called forth an anonymous rejoinder entitled "*Maggid Emeth*" (The Announcer of the Truth). The writer of this answer is actuated by a bitter spirit of enmity and opposition to Lilienthal; he claims that Lilienthal desired merely to ingratiate himself with the rich, that he was hypocritical in that he was most punctilious in observing every ceremony in order to curry favor with the orthodox. Kahana, whose article on Lilienthal and the *Haskalah* (in *Hashiloach* XXVII, 314-22, 446-57, 546-56) is distinctly antagonistic, claims that this rejoinder was written by the famous *Maskil*, M. A. Guenzberg, to whom Lilienthal showed himself most ungrateful after Guenzberg had aided him with his influence. It has been pointed out that M. A. Guenzberg could not have written this rejoinder, because, in a later publication, *Kikayon Deyinah*, he criticizes the *Maggid Emeth* for the attack on Lilienthal. (Scheinhaus, *Ein deutscher Pionier*). Either Scheinhaus is correct in his contention, which seems most probable, or, if not, and Guenzberg did write the *Maggid Emeth*, his later statements must be considered in the light of a retraction of the *Maggid Emeth*, involving thus a clearing of Lilienthal from the charges there made.

banker of Berdichef; and Bezalel Stern, the superintendent of the school at Odessa. Lilienthal also sat with the Commission.

The Commission began its meetings in April, 1843, and continued in session till August. Naturally there had to be much give and take. It had been hoped that a complete understanding would be reached, but this did not prove to be the case. The men forming the Commission were far apart in their views. The discussions were heated. Rabbi Isaac and the Chassidaic leader, Mendel Schneersohn, were not in sympathy. Stern and Lilienthal indulged in vigorous debates. Still, in the end, all the members of the Commission signed the report embodying the desires of the government as to the establishment of schools of the character of those already existing in Riga and Odessa. The Commission also placed its approval upon the books to be used in the schools, a list of which had been submitted to them.

The edict for the establishment of these schools was issued on November 13, 1844. It has been understood that the schools were to be superintended by Jewish scholars to be imported from Germany. In fact, Lilienthal had received assurances from many such of their willingness to undertake this work. However, when the schools were finally opened, this plan of Lilienthal's which had been approved by Uwaroff was repudiated by the government even though as many as two hundred German Jewish teachers had signified their willingness to come to Russia to help along this work. Such a procedure ill comported with the Czar's program of Russification. Instead of importing German teachers, it was decided to follow the plan of the Russian schools, patterning the elementary schools after the parochial schools, the higher schools after the district schools and the rabbinical seminaries after the seminaries of the Greek Church.

The truth of the matter was that faith was not kept with Lilienthal. Despite the assurances of Uwaroff and other high officials that there was no desire to convert the Jews by the establishment of these schools, it appeared in the sequel that these assurances were not sincere. Uwaroff's first plans for the education of the Jews were kept secret and were not published for some time; they were unknown to Lilienthal. In this document Uwaroff stated that instruction in the specific Jewish

branches must be minimized so that the present Jewish educational methods may be displaced by instruction in the catechism; instruction in the Talmud was to be only a pretense and the religious and philosophical Jewish commentaries were to be dropped at the first opportunity. [1]

It may be that, because of his contact with Lilienthal, Uwaroff may have changed his ideas as expressed in this original plan and have been sincere in the assurances he gave that there was no desire to proselytize. This may account for the fact that the edict of November, 1844, was scarcely promulgated ere Uwaroff was relieved of his office and the carrying out of the plan committed to other men who had had no share in the initial work. These men had no appreciation of the situation. When the schools were finally established, Christians were made inspectors. These inspectors had no conception of the delicacy and seriousness of the task. They had no sympathy with the work as far as it was in the interest of the Jews. True, the teachers of the Jewish branches were Jews. Many of these were incompetent. Such as were capable had constant difficulties, on the one hand, with the Christian inspectors and, on the other hand, with the *Melammedim*, or old style Jewish teachers, whose occupation was seriously interfered with by the establishment of these schools.

Further, several new edicts against the Jews were issued during this period, notably the dread ukase by which Nicholas I delimited the dwelling places of the Jews to within fifty versts of the frontier, the source of untold suffering and inhuman repression. The leopard had not changed his spots despite the seeming good will expressed in the documents concerned with the government's educational plans for the Jews.

Little wonder then that the Jews had their suspicions reawakened as to the sincerity of the government's professions. Little wonder, too, that Lilienthal gradually awakened to the fact that the government's pretended interest in the Jews was hypocritical. The great work for the welfare of his co-religionists on which he had embarked with such high hopes and such glowing

[1] See Scheinhaus, Ein deutscher Pionier, *Allgemeine Zeitung des Judenthums*, 1911, p. 439.

enthusiasm, had fallen far short of his expectations. Still he was willing to remain in Russia and to work for and with his co-religionists. He had been elected preacher of the great congregation in Odessa, a post, however, which he did not enter upon.

In December, 1844, he had written his fiancée Miss Pepi Nettre of Munich, to make ready for their marriage in the following May. In this letter he advised her to provide herself with heavy furs required by the rigors of the Russian climate. It was evidently his intention to bring his bride to Russia. What was it, then, that made him decide to go to America instead of returning to Russia after his marriage as was surely his intention at the time this letter was written?

In a recent book on Lilienthal's work in Russia, it is stated that the reason that impelled him to leave the country suddenly was that he was approached with the proposal to become a convert to the Greek Catholic Church.[1] If this is true, as is possible, one can well imagine the indignation with which the suggestion was received. That some such impression was abroad at the time appears from a contemporary statement. In a communication from Koenigsberg on the situation of the Jews in Russia in the *Deutsche Allgemeine Zeitung* of December 31, 1845, the writer says: "Dr. Lilienthal himself, who sojourned in St. Petersburg for a number of years with the purpose of promulgating foreign culture in Russia, was compelled to emigrate to America, when he recognized finally that it was impossible for him to achieve any real results for the improvement of the lot of his co-religionists owing to the repressive laws of the country and when the attempt was made to persuade him himself to become converted to the state church"[2] A statement in a letter which he wrote to his friend, Dr. Ludwig Philippson, shortly after his arrival in the United States seems to bear out this report; the opening paragraph of that communication, dated December 31, 1845, reads: "The Lord to whom I sacrificed my position in Russia, for whose holy name I surrendered livelihood, honors and a life position, He, the Father of all, to

[1] Hessen, *Die russische Regierung und die westeuropaeische Juden*, 33; St. Petersburg, 1913.

[2] Article reproduced in *Allgemeine Zeitung des Judenthums. X*, p. 56.

whom I entrusted my fate, and who forsakes none who trust in Him, has helped me in His mercy and has given me a second great sphere of activity."[1]

A writer in the Jewish periodical, the *Orient*, had for years pursued Lilienthal with bitter diatribes and base insinuations, among them being the outrageous charge that he was responsible for the promulgation of the anti-Jewish ukase, inasmuch as he did not really sympathize with the Russian Jews but was more or less an agent of the government. These statements led Philippson to affix the following editorial comment to Lilienthal's statement quoted above: "We cannot refrain from calling the attention of the public to the fact that this letter is a complete reply to the shameless invectives which a Jewish newspaper has directed for years at Dr. Lilienthal. Would that the opportunity were always at hand to prove the groundlessness of similar slander in so short and so complete a manner."

Whatever may have been the immediate reason for his departure, there can be no doubt that he had become convinced of the insincerity of the Russian government in the matter of the welfare of the Jews. True, the educational system, for the introduction of which he had labored with might and main, was established after a fashion, but, oh, so differently from what he had intended. His bright dreams for a real renaissance among Russian Jews vanished into thin air. Thoroughly disheartened and discouraged he left Russia for Munich where he married the fine woman to whom he had been betrothed many years and with whom he left for the United States where he arrived in November, 1845, shortly after he had attained his thirtieth year. Though so young, he was one of the best known Jewish leaders in the world. He came to the United States with a great reputation. His career in Russia had made him a man of mark.

In appearance Lilienthal was every inch the leader; he was tall and stately and his demeanor gave evidence of the courtly surroundings in which he had moved for years. A man of culture and force, he soon began to make his influence felt in his new home. Leaders in Jewry were few in the United States in those days. Although there were not many congregations,

[1] Ibid, p. 98.

still there were fewer rabbis. Religious affairs were in a chaotic condition.

Despite the unpromising state of affairs in Jewish congregational life, Lilienthal indulged the greatest hopes for the Jew and Judaism in the United States from the very moment that he stepped foot upon these shores. One of the dominating features of his activity was his love of America, as the home of religious liberty and the land of freedom. He was intense in this and time and again, in spoken address and written word, he eulogized the American spirit. This was due possibly to his Russian career. The contrast in his own experience between Russian despotism and American liberty was so great that it could not but color all his thoughts and acts. He appreciated to the full all that America represented for humanity. The first recorded words that he wrote from the United States indicate this clearly and sound the first clear note in that hymn of praise of America which he continued intoning to the very end of his life. In a letter written to his friend, Ludwig Philippson, very shortly after his arrival, he says: "My fraternal and friendly greetings from New York, from the blessed land of freedom, the beautiful soil of civic equality! Old Europe with its restrictions lies behind me like a dream; the memory of the repellent Judaeophobia of Russia is like a distant mirage; the frightful images of oppression and persecution are distant from the harried soul—I breathe freely once more, my spirit unfolds its pinions and I would waft exultingly the heartiest kiss of brotherhood to all men who find here the bond of union! . . . Oh, it is necessary that you breathe this free air of Columbia in order that you may be able to understand the pride and joy of her children; you must have shaken off the centuried dust of the old Jewish oppression in order to appreciate to the full the feeling, "I am a man like every other"; you must see here our Jewish brethren, the persecuted emigrants of persecuting Europe, in order to become convinced how worthily the Jew co-operates with his Christian brethren here . . ."

He was elected rabbi by three congregations of New York, and was styled on this account chief rabbi. In his inaugural sermon he expressed his disapproval of the innovations intro-

duced by the reform rabbis in Germany. In this first official utterance on American soil, Lilienthal took his stand on the basis of tradition, but he stated that although he would keep aloof from innovations, he would aim at securing decorum at the services. Lilienthal's later championing of reform caused him to be accused of inconsistency owing to his utterances in this inaugural and other sermons preached in New York. It will be well to make this matter clear at the outset. Although he thus began as a sympathizer with what is known as orthodoxy, still, as he became better acquainted with American conditions, he recognized the need of reform. In other words, he grew in liberal religious thought as the years advanced. He was a conservative reformer, if such a seemingly paradoxical phrase is permissible, to the end of his life. It was at first his belief that reforms could find their warrant in the Talmud, and he wrote copiously to this effect although later he abandoned this attempt. As time went on he became more and more outspoken in his reform position, as we shall see. But he was above all, a man of peace and in the many bitter contentions that marred the relations of the reform leaders, in the third quarter of the nineteenth century, Lilienthal stood out as the peace-maker who attempted to smooth over the bitter expressions of the fiery hotspurs. His motto was quiet development and orderly progress.

What he once called the "gift of quiet, though by no means inactive, looking on," well describes his own attitude, notably during these early years. Though unsympathetic with radical measures, he introduced, almost at the start, such reforms as he felt were necessary to make a religious appeal to a generation imbued with the spirit of free institutions. He preached regularly in German; in place of the *hanoten yeschuah*, the prayer composed for monarchial conditions, he substituted a new prayer appropriate to the republican form of government. He organized a choir and formed a confirmation class; this was the first to be confirmed in the United States; the feast of Shabuoth, 1846, was the date of this first confirmation. In speaking of these reforms, he wrote: "Thus I hope, with God's help, to place our young congregations here, in all things that touch our holy

religion, on an equal footing with the best organized congregations in the old world."[1]

Together with Isaac M. Wise who had arrived in New York in July, 1846, and had received from Lilienthal a most cordial welcome, as he records in his charming Reminiscences, Lilienthal organized the first rabbinical association in the United States. This society called the *Beth Din* was formed in October, 1847. Although it consisted of only four members and existed only a short time, still it is notable for the fact that it was at one of its sessions that Wise presented a plan for a *Minhag America* which was to be a union prayer book for the Jewish congregations of the country. Lilienthal was president and Wise secretary of the *Beth Din*.

However, Lilienthal's chief work in America was to be performed not in New York, but in what was then a far western city. He had resigned his position as rabbi of the three congregations and had opened a school which was attended by boys from various cities of the country, Cincinnati among others. When the Bene Israel congregation of that city sought a rabbi, the fathers of these boys, members of this congregation, urged the selection of Dr. Lilienthal. He preached his inaugural sermon before this congregation on July 14, 1855. The final stage of his career opened with his arrival in the western city. He became associated here with Isaac M. Wise, who had come to the city a year previously. Together these two great leaders toiled, each however, in his own way, for they were far different in disposition, character and method. Through their united work in the cause of Judaism, Cincinnati secured a pre-eminent place among the Jewish communities of the country. The names of these two men are linked together for all time in the story of the further development of Judaism not only in the city which became their home, but also in the entire country.

As rabbi of the Bene Israel congregation, Lilienthal unfolded a blessed career during the next twenty-seven years. Not only in the congregation, but in the city and the country at large he held a commanding place.

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[1] *Allgemeine Zeitung des Judenthums*, Ibid, p. 289-90.

When he took charge of the congregation, it was orthodox in its form of worship and in its practices. He set himself at once to the task of introducing some reforms which tended to make the service more decorous. Shortly after his arrival in Cincinnati, the congregation voted to abolish the sale of *Mitzvoth*, the reading of *piutim* in the Sabbath service, as well as the reading of the sections *Ezehu Mekamon*, *Bameh madlikin* and *Pitum haktoreth*. This action aroused the bitter opposition of a section of the membership, which opposition grew during the following months because of the advocacy by the rabbi of the necessity of moderate reforms, notably of such a nature as would appeal to the rising youth born and bred in the free American environment. Not only from the pulpit did he give expression to these thoughts, but also in the columns of the Israelite, in the editing of which he was associated with Isaac M. Wise, the founder, during the years 1855 and 1856.

"Religion and life must be reconciled, is the supreme demand of our times and the just issue of all proposed reforms," he wrote at this period of his career and shortly thereafter in a similar strain, "Let us assist time in its travail for the birth of the future. Let us prepare and foster progress. Let us remove abuses by enlightenment and instruction and an impartial posterity will gratefully acknowledge our sincere and faithful endeavors."[1] The irreconcilables in the congregation, however, were not to be won over. The climax came when the rabbi refused to be present at the service on *Tisha beab*, the feast commemorative of the destruction of the temple of Jerusalem. Members that had been antagonizing all reforms withdrew and formed the She'erith Israel congregation. Lilienthal based his refusal to participate in this service on the ground that the destruction of the temple of Jerusalem by the Romans in the year 70, with the accompanying loss of Jewish nationality, should not be observed by a service of lamentation and fasting, for this catastrophe was really providential, inasmuch as it was the beginning of the world mission of the Jews. The loss of a separate Jewish nationality was the necessary preliminary to the universal Jewish mission in all portions of the earth. Throughout his life

[1] Israelite, III, 292.

Lilienthal remained true to this conception, which is in fact the accepted teaching of reform Judaism. Time and again he reiterated this thought; on many important occasions he stated it; the two greatest events in the life of the congregation during his service were the dedication of the new temple at Mound and Eighth Streets and the celebration of the twenty-fifth anniversary of his service as rabbi; in his dedication sermon he used these words: "We owe no longer any allegiance to Jerusalem, save the respect all enlightened nations pay to this cradle of all civilizing religions. We cherish no longer any desire for a return to Palestine, but proudly and gratefully exclaim with the Psalmist, "Here is my resting place; here shall I reside; for I love this place"[1] In the anniversary address he emphasized the fact that the reform congregations had eliminated from the prayer book "all sentences referring to a return to Palestine, to the rebuilding of the temple with its sacrifices, referring to the dark times of persecution and mutual aversion",[2] and in his address at the convention of the Union of American Hebrew Congregations held in Washington in the centennial year of American Independence, he declared that "modern Judaism does neither dream nor wish to return to Palestine; here is our home; here our fatherland. Hence we strike from all bequeathed prayer books any line that reminds us of the temple and sacrifices; we know that the best religion is humanity, the best divine service, love thy neighbor as thyself; the motto which we inscribe on our banner is the common fatherhood of God and the common brotherhood of man".[3]

The universalism of Judaism formed thus the burden of his preaching and his teaching. To his mind the reform movement emphasized this.

Outside of the congregation Dr. Lilienthal performed yeoman's service for the cause of Judaism at large. He was a prominent figure at all the rabbinical conferences held in this country during his lifetime.

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[1] Israelite, XVI, No. 10, (September 3, 1868) p. 8.

[2] Israelite, XXVII, No. 52.

[3] Ibid, XXIII, No. 2.

Shortly after his arrival in Cincinnati, a call was issued for a conference of rabbis at Cleveland. The conference which was held in the month of October, 1855, instead of becoming, as was hoped, the bond of union for all the rabbis, resulted in most unfortunate dissensions, the effect of which lasted for a quarter of a century. The statement of principles adopted by the rabbis at Cleveland called forth bitter protests from the Emanuel congregation of New York and the Har Sinai congregation of Baltimore. David Einhorn, the rabbi of the latter congregation, who had arrived in this country a short time previously, was the moving spirit in this protest. The protests were published in his magazine, *Sinai*, and he himself arraigned sharply the resolutions adopted at the conference. Opposition was voiced, however, not only by Einhorn, the radical reformer, but also by Isaac Leeser, the foremost orthodox rabbi of the country. Leeser, who had at first expressed himself favorably concerning the plan of a conference of all the rabbis of the country, found it impossible, after the conference had taken place, to endorse what was done there because of the reforming tendency of the men at Cleveland. The results of the conference were, therefore, most unfortunate. Lilienthal, who had been secretary of the conference, took up the gauntlet thrown down by Einhorn on the one hand, and Leeser on the other, and defended the work of the Cleveland conference in the columns of the *Israelite*, of which he was the associate editor at the time. In an article entitled, "The Parties," he characterized the division among the rabbis as uncompromising orthodoxy, represented by "The Occident;" uncompromising reform, represented by "Sinai" and practical possible reform, represented by "The Israelite" and the Cleveland conference.[1]

In another article entitled, "Let Us Alone," he wrote in discouraged strain concerning these differences, each party following its own way and wishing neither co-operation nor union. Still, he is not altogether dismayed; for he closes with the words, "Let us not despair. The golden rays of eternal truth soon will drive away the intangible shadows of the uneasy twilight and

[1] Israelite, III, No. 12, p. 12.

out of the present dissension will be born a higher state of peace and union!"

This hope was not to be realized for many years. Fourteen years elapsed ere the reformers of the eastern section of the country and the reformers of the west met together. This joint meeting took place at Philadelphia, in November, 1869, when Einhorn, Samuel Hirsch, Samuel Adler, and other rabbinical leaders of the East, met together with Wise and Lilienthal and other western rabbis. This conference adopted a declaration of principles in which all present agreed. Peace seemed to have settled where there had been discord. But it was not a lasting peace.

Other conferences were held during the next few years in Cleveland, New York, and Cincinnati; but strenuous as were the efforts put forth by the great conciliator to effect peace, these did not prove successful at the time. However, he did not despair, and happily he succeeded in his efforts when, upon his initiative, the Rabbinical Literary Association was formed in 1879. This association comprised within its membership most of the reform rabbis of the country. Lilienthal was its president from the time of its formation to the day of his death. What importance he attached to this achievement appears from his reference to it in his sermon on the Day of Atonement following its organization, when he said:

"I hope it (the Rabbinical Literary Association) shall be the crowning point of the years I have spent in my holy and responsible office. The rabbis and ministers of our whole country have agreed to meet once every year, earnestly to discuss the religious questions and to give their opinions and decisions. It is not the work of a day or a year; it needs earnest and conscientious study, ample investigation, serious and fraternal discussions; and with the assistance of God and the hearty co-operation of our co-religionists, we hope in the course of time to accomplish a noble and holy work."

He did, indeed, devote much time and attention to the association which met annually during the remaining short period of his life. He edited the quarterly journal issued by the association under the name, *The Hebrew Review*. He published a

number of articles in this review, namely: the two presidential addresses and the articles, "The Jew a Riddle" and "The Blood Covenant."

The Review suspended publication after his death. Only two volumes appeared. In speaking of his literary work, mention must be made also of several earlier publications, viz.: his translation of Hecht's Biblical History[1] and his volume of poems, "Freiheit, Fruehling und Liebe",[2] a collection of beautiful lyrics elevated in feeling, noble in thought and choice in expression. Reference must also be made to his founding of the *Sabbath Visitor*, the first paper for Jewish children to be established in this country. He founded this journal in 1874 and edited it till the day of his death.

He stood shoulder to shoulder with Isaac M. Wise in the latter's great work of founding the Union of American Hebrew Congregations and the Hebrew Union College. His own congregation was one of the very first to join the Union and he served as a member of the Board of Governors and of the Faculty of the Hebrew Union College from the day of its opening. When the hopes of many years were realized and a rabbinical college was successfully established, a thanksgiving service to mark the event was held at the Plum Street Temple, in Cincinnati. Dr. Lilienthal was the spokesman for the Board of Governors. In this notable address he uttered many significant words, some of which may be reproduced:

"We could have adopted the plan proposed by several good men, of sending those who wish to devote themselves to the Jewish ministry to Germany, where the master minds of Jewish theology and literature are diffusing their stores of learning to crowds of Jewish students, and where Jewish colleges are already fully established, thoroughly organized, and richly endowed. But we do not want any ministers reared and educated under the influence of European institutions; we intend to have ministers reared by our glorious American institutions, men who love their

[1] Synopsis of the History of the Israelites from the time of Alexander the Macedonian to the Present Age, translated from the German of E. Hecht—Enlarged and Improved by Rev. Dr. Lilienthal, Cincinnati, 1858.

[2] Cincinnati, 1857.

country above all, men who will be staunch advocates of such civil and religious liberty as the men who signed the Declaration of Independence understood it, men who are ready to defend this priceless gem against all and any encroachments, and hence we wish to keep our students at home and raise them as genuine Americans on the virgin soil of American liberty."

The American note which is struck in this address was predominant in all his teaching and preaching, yes, in all his activity. Never was there a man more devoted in his love of America and all that this country represents than was Max Lilienthal. This was a passion with him. He abhorred every form and expression of intolerance whether religious or civil; he was an American of the Americans, even though of German birth; time and time again he gave expression to his deep feelings and convictions on the subject of religious liberty. He never minced his words when the occasion arose to denounce movements that aimed at a union of church and state, at Christianizing this country or the public schools. He was as a watchman in the tower of liberty, calling attention to dangers that threatened this precious stronghold. Intense in his Judaism on the one hand, and his Americanism on the other, he embodied the loftiest type of the American Jew. The service that he accomplished in making clear the attitude of the American Jew was great. In his day, as unfortunately is the case still now, there were many who considered the Jew an alien; he made very clear in spoken discourse and written word that in all things except his religion, the Jew was the same as his Christian fellow citizen; that he is actuated by the same love of country, the same enthusiasm for American ideals; that America is his fatherland which he loves as he does his home. Therefore, as has already been pointed out, he took pains to declare so frequently that Palestine, precious though it be as a memory, is no longer the fatherland of the Jew; I believe that it may be said without fear of contradiction that had he lived to see the day of the birth of the Zionistic movement whose program is the re-establishment of a Jewish state in Palestine, he would have opposed and fought this with all his might; for his whole life had been devoted to teaching just the contrary; he considered the Palestinian period

of Jewish history the preparatory stage for the larger life of Judaism throughout the world; he looked upon the dispersion as ordained by Providence and, in the modern era of freedom and emancipation, notably as achieved in the United States, he recognized the beginning of the fulfillment of the high hopes of the seers for the coming of the day of the realization among men of the belief in the common Fatherhood of God and the common brotherhood of men. He was a true prophet of humanity, a real worker for peace, goodwill and fellowship among all men of whatever origin or belief, whatever race or creed. Because America to his mind symbolized this high doctrine, he was so jealous of America's honor as the home of true liberty in its every sense, so proud of his American citizenship, and so appreciative of his American opportunities.

For him there could be no question concerning the loyalty of the Jew to his country; the statement made in his address at the laying of the corner stone of the Mound Street Temple, Cincinnati, and repeated several years later in a Thanksgiving sermon on November 24, 1870, caused quite a sensation because it put the matter in question in so blunt a fashion. He said:

"Let us, then, be proud of our country, our flag, our institutions and our name. Let us give sincere thanks that we all, native and adopted citizens, can join in one grand chorus of praise and exultation. Let us promise to-day, first and above all, we will be and remain Americans in sentiment, word and deed! First Americans and then Jews, Catholics, Protestants or members of whatever denomination any man may choose, according to the dictates of his conscience!"[1]

Without doubt this closing paragraph, "First Americans, and then Jews, Protestants, Catholics, etc.," the paragraph which caused the excited comment, was inspired by the agitation aroused at that time by various movements in the country; the Vatican Council of 1869, which set its seal on the doctrine of papal infallibility, had brought to the fore the question of the priority of Catholic allegiance, whether to the authority of the pope or the country. Protestant sectaries were doing all they could to have the Protestant religion recognized as the

[1] Israelite, XVII, Dec. 2, 1870, p. 8.

religion of the government; if not so recognized, to whom, then, was the Protestant's allegiance due in the first instance, the Church or the State? Without doubt it was the discussions of the day that caused the great American rabbi to express himself as unequivocally as he did upon this subject.

In season and out of season he insisted that all should have the right to believe as they would and none should be interfered with in the pursuance of that right. In accordance with this conviction, he formulated his definition of the American Jew, "In creed a monotheist, in descent a Hebrew, Israelite or Jew, in all other public or private relations, an American Citizen."[1] Therefore at the dedication of the Mound Street Temple, as spokesman for his congregation and all American Jews who believed with him, he stated the political creed of the American Jew thus exaltedly: "We are promising to-day in a body that forever we shall remain true to the sublime spirit of our constitution as it stands and reads. We shall spare no effort to maintain the free and glorious institutions of our country. In a body we shall resist the encroachment of any denomination on the rights and titles of the modern state and society . . . Earnestly and sincerely we promise unanimously to support any measure intended to strengthen the institutions bequeathed unto us by the noble spirit of the fathers of this land, which enjoins upon every citizen as a supreme duty to live together as brethren indeed and to foster that spirit of toleration by which every creed being treated by all with unprejudiced and mutual regard, the glory of our land will be enhanced all over the world."

I wish I had the time to present at length his remarkable service in the matter of loyalty to the American principle of the separation of Church and State. He spoke ever and always in no uncertain terms when attempts were made either by Catholics or Protestants to endanger this fundamental principle. In the year 1870, a Protestant ministers' conference determined to petition Congress to insert the name of God in the constitution and to declare this a Christian nation. As a result this vigilant champion of American principles preached a sermon on the subject, "God, Religion and our American Constitution."

[1] Jewish Times, Dec. 10, 1869, p. 5.

Perhaps the argument against the proposition that this is a Christian country has never been more cogently put than in this sermon, so that the portion especially pertinent to the subject in hand may be quoted. The preacher began by asking:

"What do the reverend gentlemen mean and intend by inserting the name of God into our Constitution? Was the Almighty ruler of all nations less God and Father because His holy name was not mentioned in that holy instrument? Was he less worshipped, less revered and adored by the American people, because the Fathers of 1776 wisely refrained from meddling with religious matters?

"Yes, what do they mean and intend, by trying to declare by a new amendment to the Constitution, this nation to be a Christian nation? * * *

"What kind of a Christian nation shall this people be, according to the desire of these reverend gentlemen, a Catholic or a Protestant one? Which one? These gentlemen do not come out in their true colors; they, of course, mean a Protestant Christian nation. They have as yet too much genuine regard for the American spirit of religious liberty that they shall come forward and declare, 'We mean a Protestant Christian nation.' But do not they by this assertion throw down the gauntlet to the Catholic Church, which ever increases in power and challenge her to a deadly combat? Or do they presume to avert by such a declaration the dangers they fear from the ever increasing influence of the Catholic clergy? Do they pretend to put a check on the formidable growth of that Church by adding such an amendment to the Constitution?

They will accomplish thereby neither the one nor the other. They will only add fuel to the threatening fire and put the denominational antagonists into a well-defined array; they will thereby only drill and prepare them for a contest which by such agitations will rather be accelerated than avoided."

Before I dismiss the discussion of this phase of his activity, reference must be made to the famous Cincinnati "Bible in the schools" case.

The Cincinnati school board had resolved that the reading of the Bible in the public schools should be dispensed with. A

citizen brought suit in the courts against the school board. The courts finally sustained the Board. While the case was being tried, great excitement prevailed in the community and the attention of the entire country was fastened upon the Cincinnati episode. In this city itself passion ran high. Public meetings were held by both the friends and the opponents of the school board. As may well be supposed, among the most active supporters of the school board was Dr. Lilienthal, for whom the question of Bible reading in the public schools was part and parcel of the larger issue of the union of Church and State. Little wonder, therefore, that he took an active part in the campaign for keeping the public schools free from all church affiliation. He recognized that the reading of the Bible in the schools was merely the opening wedge for the protestantizing of the schools. In an address delivered at Mozart Hall, March 30, 1870, during the exciting interim that elapsed after the Superior Court had decided against the School Board and the case was pending in the Supreme Court of the State to which the School Board carried it and where the decision sustaining the Board in its right to suspend the reading of the Bible in the schools was ultimately rendered, the rabbi whose word carried great weight in the community said pointedly:

"The Catholics denounce the public schools as godless and the hotbed of every vice and apply every opprobrious epithet to them. They demand a division of the school fund. What is to be done? Sectarianism must be removed from the schools, in order that there may be no just ground left for this demand. But look to the Protestant side. The Protestants come now and say defiantly that this is a Protestant country. When I left Europe I came to this country because I believed it to be free, the God-blessed country of all the world.

On one side of this controversy are the Protestants, and on the other are the Catholics. Where in heaven's name are the Americans? Of course, the answer from the Protestants will be, 'We Protestants are the Americans, and we Americans are Protestants.' I do not propose to answer the question myself, but instead will read from a letter written by Washington in May, 1789, addressed to the United Baptist Churches of Vir-

ginia: " 'If I could have entertained the slightest apprehension that the Constitution framed in convention where I had the honor to preside, might possibly injure the rights of any ecclesiastical society, certainly I would never have placed my signature to it; and if I could now conceive that the General Government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny and every species of religious persecution, for you doubtless remember that I have often expressed my sentiments that every man conducting himself as a citizen and being accountable to God alone for his religious opinions, ought to be protected in worshipping the Deity according to the dictates of his conscience.'

"So wrote Washington. Are we better than he was? Are we wiser than he was? Obstinacy is no wisdom, bigotry is no justice, fanaticism is no righteousness, and any one who unfolds these banners will ruin this glorious country."

And as a final word, let me quote the platform which he laid down for the Jews in this matter:

"1. Bible or no Bible, our children will visit the public schools. Our Sabbath schools and synagogues give us ample room and time to impart to them the required religious instruction.

2. No division of the school fund, no matter under what pretext it may be demanded.

"3. Not a single penny out of the public funds for the support of any sectarian institution, be it for charitable or educational purposes.

"4. No union of State and Church, under any shape and form whatsoever.

These principles will save the Union and restore the denominational peace we have heretofore enjoyed and which we hope will be continued for ever more on the virgin soil of American happiness and liberty."[1]

Thus bravely, fearlessly and constantly did this true American patriot contend for the principles to which he was devoted

[1] Jewish Times, 1870, pp. 118 & 213.

with all his heart and soul. Advocate of peace among all men and notably among the followers of the various religious denominations though he was, yet he never permitted his desire for peace to becloud the issue when underlying principles of liberty were at stake. And his great services in this cause will never be forgotten.

Despite this firm and uncompromising attitude against both Protestant and Catholic sectarians, Dr. Lilienthal was a veritable messenger of peace in advancing the cause of fellowship among the various denominations. Never has there been a man in the American Jewish pulpit who has performed finer service in this regard. As far as I have been able to learn, he was the first rabbi in the country to preach from a Christian pulpit. He did this frequently. He delivered, too, the address at the Fair for the raising of funds for the Catholic institution, the Good Samaritan Hospital. Thus he contributed wonderfully towards creating a sentiment of good will among the followers of all religious denominations in the city. Dr. Wise summed up this service in a beautiful tribute to his friend on the occasion of the celebration of the twenty-fifth anniversary of the latter's service as rabbi of his congregation, when he said:

"There are, I have no doubt, many persons within hearing distance, who recollect the various prejudices which existed also in this enlightened city between Jew and Gentile. It is not the will of God, who is the common Father of all; it is not the teaching of Judaism, with its great law of 'Love thy neighbor as thyself,' that such prejudices and dissensions and mutual distrust should exist among good people; and by the will of God, and let me add, by the beneficent influence of Rev. Dr. Lilienthal, most of these prejudices were eradicated in this city. 'How beautiful upon the mountains are the feet of him that publisheth peace.' He approached priest and layman, Christian and infidel, church and society with the palm branch of peace, soothed and calmed agitated minds, carried light into obscure recesses and good will into many hearts. Therefore, to a great extent we enjoy here this peace and mutual respect, this good understanding between Jew and Gentile, which is our pride and satisfaction, and for which we are largely indebted to the man of whom we say, 'Thou art peace,' therefore, 'thy house is peace.' "

Dr. Lilienthal then was animated throughout his life by the peace motive. He had a fine knowledge of men. He knew that in life there must be give and take if anything is to be accomplished. This was the statesmanlike quality in his make-up. He felt that men had to be taken as they are, not as he would have had them be. For this reason those who did not understand him, accused him of compromising, of hypocrisy and of time serving. When, in Russia, in his desire to gain the support of the ultra-orthodox Jews and of the *Chassidim* for the high aim towards which he was striving, he observed rites and customs with which he was known to be at variance in his thought, he was denounced as a hypocrite by his enemies; but the truth of the matter was that he considered such a concession as of slight importance when compared with the large end in view, namely, the obtaining of the sympathy of this great section of Russian Jewry for the educational work proposed. So also time and again in this country, he was accused of being a compromiser, on the one hand, by the reformers who made a fetich of consistency, and on the other, by orthodox irreconcilables who would not have a jot or tittle of inherited ceremonies and customs changed. Being a man of great insight and wisdom, he recognized that practical reforms can be accomplished effectively by an accommodation to the changing circumstances of time and place. He knew full well that neither life nor history move in a straight line and that the greatest victories for progress are frequently gained by a rounding of difficulties and obstacles by circuitous routes. But, when a matter of real principle was involved, he showed time and again that he could be firm as a rock; his departure from Russia, relinquishing a great future proved this to the full; his defense of the reform movement against his doughty antagonist, the Rev. Isaac Leeser, and his constant struggle as detailed in the preceding pages against the forces of religious bigotry in their onslaught on the integrity of American institutions bear testimony to his consistency when high principle was at stake.

Throughout his career he aimed to smooth the rough waters of controversy and dissension. For this reason he was called so frequently even during his lifetime, the prince of peace.

He was distressed by the factious differences that divided his brethren in the ministry into warring groups. He used his best offices to remove these differences. More than this could no man do. He was truly one of the disciples of Aaron, loving peace and pursuing peace..

For thirty-seven years he worked in this spirit of peace and reconciliation in the land of his love and adoption. This is his greatest claim to fame and to the gratitude of his co-religionists and his fellow countrymen.

When the last hour of his earthly life struck on the fifth day of April in the year 1882, his place in American Jewry's hall of fame was secure. As Jewish leader and as American patriot he had toiled untiringly and unselfishly. He had spoken golden words of eternal truth on many an important occasion. In appearance every inch the leader, he had gone in and out among his people, a messenger of the Lord of Hosts. Four weeks after his demise, a service was held in the religious home he loved so well, the temple of the congregation, at which sincere tributes of appreciation were spoken by his life-long friend and co-worker, Isaac M. Wise, and other leaders in American Jewry, Rabbis Henry S. Jacobs of New York and Jacob Voorsanger, lately of San Francisco, as well as by two of Ohio's greatest citizens, General Jacob D. Cox and Judge J. B. Stallo. The eloquent words with which the latter closed his oration characterize finely the outlook of the lofty spirit whom he was eulogizing. "His longing was for the future, not for the past. Forward and upward was his motto. His Messiah was not a single man but reason and its fine effects. His promised country was not one narrow speck of earth, but the whole broad universe. His brethren were not only those to whose race he belonged; every one who furthered the aims of humanity was his brother and friend. It is in this sense that we meet here, one great brotherhood, to mourn the loss of a dearly beloved brother. I can best close with the fervent hope that his spirit may continue in his people forever and aye. Then will be verified the words of Goethe in his Tasso that "the place where a great man has lived remains a fruitful seed for all generations."

One hundred years have passed since Max Lilienthal first saw the light of day. During that century the spirit freedom has won great victories. Despite occasional relapses the progress achieved in the cause of liberty is very marked. Freedom was the breath of Lilienthal's nostrils. He was a true apostle of liberty. Aristocratic in thought and bearing, he was democratic in life and principle. America embodied for him the hope of humanity. The upholding of American principles was a passion with him. American Judaism, combining loyalty to the high teachings of Judaism with fealty to the basic institutions of American liberty and the high hopes for a united humanity, represented for him the flower of the endeavor of the ages. In inspired mood he at one time defined this ideal in words that glow with loyalty to a great past and hope for a glorious future.

"Resting with its roots in deep antiquity," so run his words, "it still branches forth like a sound, healthy oak tree. It tries to adapt itself to the advanced ideas of the age, to become reconciled with the results of science, and, without surrendering its special characteristics, to preach humanity instead of racial antipathy, reason instead of blind faith, the living spirit instead of the dead letter.

"It has inscribed on its banner the glorious words of the common Fatherhood of God and the common Brotherhood of Man and believes, *in hoc signo vinces*. With Catholic and Protestant, with Mohammedan and Buddhist, it hopes and waits for that kingdom of heaven on earth in which the redemption of the human family will become a blessed reality so that virtue and justice and unsectarian brotherly love may reign supreme, and evil and hatred may be numbered among the things of the past".

G

THE FOUNDATIONS OF ISRAEL'S HISTORY

RABBI JULIAN MORGENSTERN

I[1]

THE CONCEPTION OF REVELATION IN ANCIENT ISRAEL

In all religious knowledge, belief and practice, two realities, altogether separate and distinct, are constantly confused. These two realities are God Himself, and man's little, human, finite knowledge of God. Regularly individuals and creeds have failed to realize, on the one hand, that God Himself is one thing, absolute, supreme, transcendental, unknowable, not human but more than human, and so not to be described by human attributes, measured by human standards, nor adequately comprehended in His true reality by human minds; and on the other hand, that their knowledge of Him, the little they can know of His true and supreme reality, is something vastly different and infinitely less. And they believe, almost without exception, that what they know about God, or think that they know, is all that is to be known, is all of God Himself. And so they believe, too, that whatever others, individuals or creeds, claim to know about God, different from, or more than, their knowledge, must necessarily be wrong, false and heretical. There is very much of this perplexing confusion in our religious belief and practice, and the results are, far too often, ignorance, intolerance, bigotry and strife.

Yet despite all this human disagreement and human intolerance, God Himself is supreme, eternal, unattainable, the

[1] Chapters I and II, virtually constituting the introduction to this paper, were not written until after the Charlevoix convention. They are, accordingly, herewith presented to the Conference for the first time. Their import, however, for the proper approach to, and understanding of, the subject, will be immediately apparent to all.

loving Father of man, the all-wise and all-good controller of human destinies. And from the beginning of his life on earth, man's constant endeavor, unconscious largely, yet none the less earnest and persistent, has been to come close to God, to know His way better and ever better. Like Moses of old, man's cry has ever been, "Let me behold Thy face." But to him, too, the answer has come, "No man may behold My face and live." Yet despite this answer, like Moses again, man has ever persisted, persisted just because of the divine element within him, to know more, and ever more, about God. And just as to Moses, God has, in His infinite love, granted a portion of man's request. Although His face was denied, still He has permitted man to hear His voice, to learn His true name, and to even catch a fleeting glimpse of His back, and, from all this, form some estimate, some dim, vague picture of His true being, His reality and majesty and glory. He has granted to man, as the result of his ceaseless striving upward, to know more and more about Him and to understand more and more of His divine purpose in man's life. And this steadily growing knowledge of God and God's purpose with man, revealed through many sources and in many ways, constitutes man's religion. And the record of the gradual unfolding and growth of this knowledge is the true history of religion.

In all this history of religion, this record of God's revelation of Himself to mankind, Israel has borne, we believe, not merely a leading role, but the leading role. This fact is conceded by almost all the civilized world, even though men may differ as to the actual nature and extent of this leadership. Some there are, who grudgingly admit the fact, yet minimize it as much as possible. And some hold that another leadership was instituted under a new dispensation nineteen hundred years ago. Others, and not a few, rate Israel's leadership more highly, and even recognize that it has not ceased unto the present day.

We Jews ourselves, and particularly we of the Reform wing of Judaism, who believe firmly in Israel's mission unto mankind and in the principle of religious growth and progress along the lines of historical evolution, hold fast to our faith in Israel's leadership in this growing knowledge of God; hold that

it was particularly through Israel that God revealed Himself to mankind; that, in the words of the great, unknown prophet of the exile, God has Himself chosen Israel to be His servant, His witness unto mankind, His light unto all the nations of men; that He has revealed Himself unto Israel, that Israel in turn might spread the knowledge of Him to all mankind. He revealed Himself through Moses and the prophets in successive ages. And the sum total of this revelation of Himself through Israel is the sum total of Israel's knowledge of Him, is Israel's religion, and, as we believe, the basis of the true, ultimate religion of mankind.

But the conception of the actual nature and means of this self-revelation of God to and through Israel has varied greatly in the different periods of Israel's religious unfolding. In the very earliest period, the means and agents were believed to be many and diverse indeed. Auguries, portents, omens, miracles, consultation of spirits and ghosts, these and others were all regarded as media of revelation of the divine will and divine nature. However, as the religious consciousness of the people became more refined, the number of legitimate modes of revelation was gradually reduced to three, the dream and vision, the oracle, and the prophetic word[1]. Repeatedly in the Bible, God is represented as revealing Himself and His divine purpose to chosen individuals in dreams or visions.[2] Moses consults the oracle, according to tradition[3], and evolves for the people a body of oracular law, even though represented elsewhere[4] as speaking to God face to face. Joshua, too, consults the oracle and casts lots to determine the divine will[5], as do likewise Samuel[6], Saul[7], and David[8].

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[1] Cf. I Sam. XXVIII, 6.

[2] Cf. Gen. XV, 1; XX, 6; XXVIII, 12; XXXVII, 5-10; XL, 8-13; XLI, 1-32; Num. XII, 6; XXIV, 4, 16; Dt. XIII, 2-6.

[3] Ex. XVIII, 19-26.

[4] Ex. XXXIII, 11; Num. XII, 7f.; Dt. XXXIV, 10.

[5] Josh. VII, 14ff.; XIV, 2; XVff.

[6] I Sam. X, 20-22 (cf. LXX).

[7] I Sam. XIV, 18f. (cf. LXX), 38-42 (cf. LXX).

[8] I Sam. XXIII, 2, 4, 6, 10-12; II Sam. V, 23f.

But above all, in the course of Israel's religious development, prophecy came to be regarded as the peculiar and unique means of God's self-revelation to His people. And, more and more, even consultation of the oracle and the interpretation of dreams and visions were relegated to an inferior position. For prophetic revelation was national in character; it expressed God's will for the entire nation. The prophets saw in themselves the direct agents and mouthpieces of God, speaking to the people the actual words which God had placed upon their tongues. But of even more significance than these actual words of God, they saw God's hand in all things, in the events of their own personal lives[1], and in all the incidents of Israel's history. They came to conceive of God as the all-wise and all-good controller of human destiny. Therefore in all the events of history, and particularly of Israel's history, they saw His power and read His divine purpose. Other peoples and other religious teachers found their evidences of the existence of God and the manifestations of His power and rule in nature, in the beauty of the flowers, the majesty of the heaven, the power of the storm, the awfulness of the flood. The prophets, and through them all Israel, too, saw all this as clearly as any others. But even more, they saw God, not merely in nature; they saw God, too, in the events of human history; saw Him guiding the destinies of men and nations aright, bringing good out of the chaos of human purpose, human conduct and human vanity, changing the temporary evil of man's deeds into permanent good and blessing[2], bringing mankind ever forward, half unconsciously, along that difficult, slow, up-hill course, that mankind has trodden since the beginning, that we are treading still today, despite wars and barbarisms and relapses in civilization, and that mankind must continue to tread, we believe, until the end of time and history

[1] Thus Hosea interpreted his own relations with his harlot wife as ordained by God in order to graphically illustrate Israel's faithlessness, for himself and the people. And he gave to his children, as did Isaiah after him, names symbolic of God's relation and purpose with Israel.

[2] Compare the thought underlying the words of Joseph to his brothers, "Ye planned evil against me, but God devised it for good, in order to preserve the life of a mighty people." (Gen. L, 20.)

and life, the course of progress and enlightenment and knowledge, the knowledge of God Himself and of His purpose with man on earth.

In Israel's history, in particular, the prophets saw the evidences of God's love and purpose and guidance. It was Israel alone whom God had known of all peoples[1], whom He had found like grapes in the wilderness[2], His first-born son[3], whom He had taken in His arms, and taught to walk, and whose bruises He had healed[4], whom He had taken unto Himself, that they might be unto Him for a people and He be unto them for their God[5]. And every event in Israel's history, they held, happened in accordance with God's will and purpose for Israel, for reward and blessing, or chastisement and correction, or divine guidance. Every event of history was purposed by God, though not at all in the way of blind fatalism. Man was not the powerless puppet, dancing as the deity pulled the strings; rather, he was the majestic creature, but little lower than the angels, endowed by God with knowledge and free will, yet subject to God's laws and amenable to correction and even punishment, when the exercise of this free will led contrary to God's plan of good. Everything in history, they believed, was purposed by God. In the words of Amos[6], "Do two walk together, without having agreed? Doth the lion roar in the forest, when there is no prey? Doth the young lion utter forth his voice from his den, without having taken something? Doth a bird fall into a snare on the ground, without the trap having been set? Doth a snare spring up from the ground, without catching something? Can the trumpet be blown in the city, and the people not tremble? Can evil befall a city, and the Lord not have caused it? Verily, the Lord God doeth nothing at all, without having revealed His secret purpose unto His servants, the prophets. The lion roareth; who can but fear? The Lord God hath spoken; who can but prophesy?" Can anything happen without cause; and can any cause exert itself except to its full effect? And the

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[1] Amos III, 2.
[2] Hos. IX, 10.
[3] Ex. IV, 22.
[4] Hos. XI, 3.
[5] Ex. VI, 7; Lev. XXVI, 12; Dt. XXVI, 17; XXIX, 12.
[6] Amos III, 3-8.

ultimate cause of all events of history is God Himself; and the effects of His divine purpose are just these events of history. And His secret plan, His definite purpose for men and nations and mankind, He reveals to His messengers, the prophets, that they, in turn, may reveal it to Israel and to mankind. The prophets were, above all, the interpreters of history, and particularly of Israel's history, reading God's divine plan there aright, and proclaiming therefrom His purpose, His message, and His life to man.

We can readily understand, therefore, the significant fact, oft commented upon, that the great prophets appeared always at the important crises, national and religious. They were all the children of their own times, called forth by its needs and spiritual dangers. And, in the name of the God of Israel, they interpreted to the people these needs and dangers and the real significance of the passing events of history. In the various calamities that had befallen, and were befalling, Israel, they saw the signs of Israel's faithlessness and of God's indignation and divine punishment. Amos and Hosea interpreted the impending downfall of the northern kingdom as evidence of the people's hopeless corruption and incapability of repentence and regeneration. They saw in Assyria the rod of God's anger, with which He must smite the sinful nation. Isaiah counselled a policy of national steadfastness and defense, the watchword of which was absolute faith in God's protecting power, and entangling alliances with no foreign nations. Jeremiah, too, saw in Nebuchadrezzar the instrument of God's will with Israel, and urged, among other things, peaceful settlement and development of economic life in the land of exile. And finally, the great, unknown prophet discerned in all Israel's sin and suffering and exile merely the divine purification and preparation for its great mission as God's witness unto mankind. The prophets were, in a sense, the makers of Israel's history, particularly Israel's religious history and thought. But equally, or to an even greater degree, they were the children of Israel's history, called to their great, prophetic mission by the needs, national and spiritual, of their own times. And their message consisted primarily in interpreting to Israel, from the standpoint of the God of history,

all the significant events of its national life, in order that Israel might thereby realize the better God's purpose with it, and live more true to this purpose. And through this interpretation of Israel's history, as the wise and purposed work of God, steadily they fulfilled their inspired task of proclaiming likewise to God's people their transgressions and to the house of Jacob their sins[1].

But not merely the passing events of their own day did they interpret thus. Time and again they reinforced their message by reference to the great events and heroes of Israel's past. And through their interpretation these took on new, larger and more spiritual significance. Particularly was this the case with the traditions of the patriarchs, especially Jacob[2], and of the exodus from Egypt. One prophet after another dwelt upon this last incident in particular and found therein new evidence of God's providence and love and divine selection of Israel[3]. According to this prophetic interpretation, it was then that God first manifested His all-embracing love for Israel and took Israel into covenant relation with Himself. And so, according to this new, spiritual interpretation of the historic event, the exodus from Egypt came gradually to be looked upon as marking the beginning of both the national and religious existence of Israel.

But not only in the prophetic books themselves, can we discern the prophet's interpretation of Israel's history. We know now that practically all the historical portions of the Bible, and particularly the larger part of the Torah, are the work of prophetic writers, interpreting the ancient, traditional history of Israel from this prophetic standpoint of divine purpose and providence. A typical instance is found in the statement[4], that when Pharaoh sent Israel forth from Egypt, God did not lead them by the road through the land of the Philistines, although this was the shortest route, for He feared that when the danger of battle would be imminent, they might become frightened and change their minds and return to Egypt; so He led the people around the long way by the Red Sea and

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[1] Is. LVIII, 1. [2] Cf. Hos. XII, 4-5.

[3] Is. XI, 16; Jer. II, 6; VII, 22-25; XI, 4; Ezek. XX, 5-10; Hos. II, 17; IX, 3; XI, 1; XII, 10; XIII, 4; Amos II, 10; III, 1; Mic. VI, 4.

[4] Ex. XIV, 17f.

through the wilderness for forty years. Practically all the many narratives of the Pentateuch are told from this unmistakably prophetic standpoint, and with this unmistakably prophetic purpose, of pointing, with the traditions of Israel's past history, the lesson of God's peculiar relation to, and love for, Israel, and Israel's peculiar obligation to God. It is clear that these prophetic writers have taken many old traditions and intentionally recast and reinterpreted them to further this purpose. Their object in all this was not to determine how much of historic truth lay at the bottom of all these traditions, nor to record the events of Israel's history as they had actually transpired. They were not objective historians; in fact, they were not historians at all, in the strict meaning of the word. Rather, they were didactic, historical writers; and their purpose was to enforce their spiritual message by interpreting the facts of Israel's ancient history, and its old traditions, legends and myths, from their prophetic standpoint; to read their message into these traditions and into the record of Israel's history, that Israel, in turn, might read the message therefrom, and gather, with redoubled strength and conviction, the lesson of its history as proclaimed by the prophets, the lesson of God's selection and guidance of, and purpose with, Israel, and of Israel's obligation of faith in, and duty to, God.

In accordance with this unvarying purpose, it was unavoidable that, in recording the ancient history, traditions and legends, they took many and considerable liberties with historical accuracy. They could have no hesitation in recasting some ancient tradition to fit their purpose. Nor could they record all the ancient traditions and legends that did not readily accord with this purpose. Here and there we have just a hint at some tradition or legend, which, for one reason or another, these prophetic writers did not see fit to relate in full[1]. And we can readily understand that very many of Israel's most ancient traditions and legends they saw no reason to record, and so these have been lost completely. Other traditions they naturally retold and enlarged upon, until, in their present form, they must be far from their original, and can contain but little of actual,

[1] Cf. Gen. VI, 1-4; X, 9f.; XXXII, 2f.

objective, historical truth. Thus the very stories of the exodus and of Israel's covenant with God, and the many Biblical traditions about Moses, are greatly expanded from their original pre-prophetic, historical form[1]. In many cases it is not a difficult task for the capable historian to strip off all the prophetic accretion and get at the real historical facts beneath. Thus we know today that Moses was really the hero who led one tribe, most probably Judah[2], out from Egypt, back into the wilderness, its original nomad abode; and there, acting as its tribal priest and interpreter of the oracle, he brought the tribe into covenant relation with a desert god, thought to dwell upon some certain, solitary peak in the wilderness, and, in the name of this new god, and as revealed by him, evolved for the tribe a body of ritual and ethical law, which in time became the basis of the religion of Israel[3]. In this sense Moses is a real, historical character, actually the law-giver and ultimate founder of Israel's religion. And the exodus is an actual, historical event, and marks, in a way, the beginning of Israel's national and religious life. But at the hands of successive prophets and prophetic writers, the original narratives of Moses and the exodus and the giving of the law have been recast and expanded into their present form in the Pentateuch. Moses has ceased to be the simple tribal priest and enactor of the earliest tribal laws. He has become the great national hero, the medium of the revelation of the whole body of national law. And even though much of this, it is stated, was intended to become effective only at a day much later than Moses, it is all represented as emanating directly from God and revealed through Moses at

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[1] Cf. Montefiore, *Outlines of Liberal Judaism*, 188f.

[2] Or, possibly, Judah and Simeon. Some scholars, mistakenly, we believe, are inclined to believe this to have been the Joseph tribes, *i. e.*, Ephraim and Manasseh.

[3] Apparently, too, Moses effected some sort of federation between Judah, or Judah and Simeon, on the one hand, and the Qenites, with whom he himself was personally related by marriage, and possibly also the Qalebites, the Qenizzites and other nomadic tribes of the desert south of Palestine and bordering upon Egypt. In this sense Moses was also the first leader in that movement toward tribal federation that eventually culminated in the evolution of the nation, Israel.

the very beginning of Israel's national existence. And Moses has come, furthermore, to be represented by these prophetic writers, and most naturally, as the supreme type of prophet, who, unlike and superior to all other prophets, could commune with God, not merely in dreams and visions, but face to face, just as one man would speak with another[1]. There is a vast difference between this prophetic, literary, Pentateuchal Moses, the supreme prophet, and the actual, historical Moses, the tribal priest, leader and interpreter of the oracle in the wilderness. The prophetic purpose, and the prophetic interpretation of history, and the prophetic enlargement of the original traditions are easily discernible here. And the competent Biblical student must learn to so read his Bible as to appreciate and distinguish between the actual facts of history at the bottom of all the recorded narratives and the prophetic enlargement and interpretation that have been placed upon these facts in their present Biblical form.

Such were the prophet's interpretation of Israel's history and the prophet's conception of revelation and of his function as an agent of this revelation. Each prophet, convinced of his divine call in the most literal sense, felt himself to be, and actually was, a single link in the great chain of God's self-revelation to His people. He believed himself and his words to be merely the instruments of this divine self-revelation. But more important than the single personality of any one prophet was the content of his message; and more important than the combined personalities of all the prophets was the sum total of their message, the basis and content and purpose, as they believed, of all revelation, Israel's actual history, past, present and future.

During and after the Babylonian captivity, the old spirit of prophetism, which had come, with Deutero-Isaiah, to transcend the limitations of national life and national religion, and attained to a wider and loftier universalism in its conception of God and Israel and Israel's role in the divine scheme of human existence, slowly gave way to the new spirit of priesthood, ritualism and legalism. This was, in a sense, distinctly nationalistic, or better, national-religious; it represented a more or less

[1] Ex. XXXIII, 11; Num. XIV, 7f.; Dt. XXXIV, 10-12.

conscious reaction and protest against prophetic universalism, and reaffirmed in new and even stronger terms the old national-religious doctrine of the peculiar, unique relation of God with Israel. Israel alone was His people, alone was holy unto Him, and He alone was Israel's God; in relation to Israel He, too, was holy. The term "holy," *qadosh*, gradually acquired a new and more technical connotation; it came to mean not merely "morally and spiritually perfect," as used by Isaiah in reference to God Himself[1]; nor did it retain even its earlier technical sense, "peculiarly sacred to a deity and hence taboo for mortals."[2] It was now applied to everything that pertained to this sanctity, the peculiar ritualistic and ethical and spiritual laws and restrictions by which the "holiness" obtaining between God and Israel was preserved and strengthened[3]. It was the old, national religion, revived, intensified and centralized, and, it must be recognized, purified and spiritualized also.

But it meant the end of prophecy. For, beginning with Amos, prophecy had been gradually outgrowing the old, national religion; had been evolving the universal conception of the all-Fatherhood of God and of human brotherhood and of the divine selection of Israel for a definite purpose and mission unto mankind. Finally, in Babylon, the people found itself completely detached from its native soil, saw its national life and institutions and traditions seemingly dead, realized that it was living among strangers, and, after the first suffering and grief of exile had worn off, was even happy and prosperous.

[1] Is. VI, 3. [2] Cf. below pp. 269f.

[3] Note the significant manner in which laws, ethical and spiritual in character, are grouped with laws unmistakably and solely ritualistic in Lev. XIX, and in fact throughout the entire Holiness Code (Lev. XVII-XXVI in the main). The purpose of both kinds of law is clearly stated to be to safeguard this holiness relation between God and Israel. The watchword of this new movement was, "Holy shall ye be, for I, Jahwe, your God, am holy" (Lev. XIX, 1). Here "holy" is used in the new, technical, semi-spiritual and semi-ritualistic sense just indicated. Repeatedly, too, the holiness command is enforced with the all-compelling thought, "I am Jahwe" (Lev. XIX, 12, 14, 16, 18 and *passim*), or "I am Jahwe, *your* God" (Lev. XVIII, 30; XIX, 3, 4, 10, 25 and *passim*), or even, "I am Jahwe, who doth make you holy," *i. e.*, holy unto Himself, His peculiar property (Lev. XX, 8; XXI, 8, 15, 23; XXII, 9, 16).

Yet during all this time it had retained its faith in its God, the God of its fathers; its old God, yet also its new God, who seemed no longer bound by the geographical limits of the land of Palestine or the political limits of the nation Israel; who seemed the God also, though perhaps not to quite the same degree nor in exactly the same way, of the nations among whom they lived and with whom they associated and did business. The conviction became strong on the part of some that this very exile from the native land, and the death of the nation, had been really purposed by God. And prophetic universalism blossomed forth during and immediately after the Babylonian captivity into definite and clear expression in the words of Deutero-Isaiah, the very culmination and flower, we believe, of prophetic inspiration and prophetic activity.

But while this spirit of universalism was thus developing, and continued to develop in Palestine in small and select circles even after the captivity, as the books of Ruth and Jonah prove, none the less, the reaction against the captivity and against the spirit of universalism had begun in Babylon long before the advent of Deutero-Isaiah, had begun in fact almost with the very commencement of the captivity. Ezekiel was the father of this reaction. It based itself upon the confident hope, already voiced by Jeremiah[1], at least according to popular interpretation, that the captivity would not mark the end; that the nation would once more be restored, the Temple rebuilt, and the national life and national worship revived. Once more, though in a stricter and more literal, though at the same time also more spiritual, sense, Israel would be God's peculiar people and He their peculiar God, Israel "holy" unto Him and He "holy" unto them. And this unique and intimate relationship of "holiness" must be safeguarded by every means possible, not only by ethical living, as enjoined by the earlier prophets, but also by more constant and intense and punctilious worship and ritualism, and, if necessary, even by such extreme measures as the compulsory divorce of non-Jewish wives[2]. In consequence this new national-religious movement, in glaring contrast to the old prophecy, accentuated the ritual side of the

[1] Jer. XXV, 11ff.

[2] Cf. Ezra IX-X.

religion more and ever more. The tendency of prophecy had been away from ritualism. Amos, Isaiah, Micah and Jeremiah had inveighed against it in the most scathing terms[1]. Ezekiel, on the other hand, the founder of the new movement, himself a priest, was the first of the ritualist, priestly prophets. After him came Haggai, Zechariah and Malachi, spiritual prophets in a sense, yet with the new priestly and ritualistic spiritualism. The old, truer and more inspired prophecy, after reaching its climax in Deutero-Isaiah, came to a natural end. Here and there we find an occasional utterance in the old spirit, and later apocalyptic literature, too, now and then reveals something thereof. But true prophecy itself was dead; it had too much outgrown the narrowing influences of national life and national religion, to live on in the new atmosphere. The spirit of the people at large, even in Babylon, was intensely ritualistic. Not only the Book of Ezekiel and the Holiness Code were composed in Babylon, but the greater part of the Priestly Code[2] as well. The prophet ceased to be the foremost factor in the interpretation and development of the religious life. The priest now completely took his place as the religious leader and expounder of the divine nature and the divine will. And Israel itself turned from the role of a prophet-people with a divine world-message, such as Deutero-Isaiah had conceived for it, to that of a priest-people, charged with the duty of punctiliously worshipping its God and jealously and scrupulously living the life He had ordained for it alone.[3]

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[1] Amos V, 21-25; Is. I, 10-17 (cf. LVIII, 1-12); Jer. VII, 1-10; Mic. 6-8.

[2] In addition to a few chapters in Genesis and in the last half of Numbers, and the very close of Deuteronomy, found for the most part in Ex. XXIV, 15-XXXI; XXXV-XL; Leviticus (complete); Num. I-X, 28. The Holiness Code is incorporated in the Priestly Code. Cf. Carpenter and Harford, *The Composition of the Hexateuch*, 228-300 and index.

[3] In passing, an interesting and significant thought may be presented. As the result of perfectly natural and easily comprehended religious evolution, Israel had come to a curious division of opinion in regard to the interpretation of its religion and its history. On the one hand, as has been pointed out, a universalistic conception of God and religion had developed from Amos to Deutero-Isaiah, culminating in the doctrine of the all-fatherhood of God and of human brotherhood and of the mission of Israel. In its expression by

It was but natural that with this spiritual death of prophecy, and the development of the new, priestly spirit and ritualistic in-

Deutero-Isaiah, himself probably living in Palestine, this conception was coupled with the thought of the return of Israel to its fatherland, and, presumably, the consequent re-establishment of the nation. But this return and this national reconstruction were only means to the greater end of Israel's role in the prophet's scheme of universalism; Israel was to be, above all, the light unto the nations. Nowhere does the prophet attempt any picture of the reconstructed national life, of the administration of the new government, or of the blessings and joys of the new national independence. The universalistic ideal is the great goal; Israel is to live, not apart, by and for itself, and holy to its God alone, but among and for the sake of the nations.

Certainly, too, there were some, perhaps many, who shared the prophet's dream of universalism, but went by no means as far in their conception of, and longing for, the return to Palestine and the re-building of the nation. Undoubtedly to many, particularly in Babylon, happy and prosperous in the land of their adoption, the return must have seemed an altogether unessential detail of the universalistic program. How could they preach universalism or how serve its cause better, than when living among strangers in a strange land, yet feeling and showing themselves altogether one, truly brothers, with the people among whom they were living? Since this doctrine of universalism must have accorded completely with the life and life-philosophy of very many Jews, born in Babylon, and happy and prosperous there, it offers the simplest and most natural explanation of that otherwise strange fact that, when the opportunity to return to Palestine did come and was repeatedly renewed, so few availed themselves thereof. It was, undoubtedly, not merely because the majority of the Babylonian Jews were too materialistically inclined to exchange their prosperity in Babylon for the hardships of removal to, and sojourn in Palestine. Far more likely, it was just because very many, possibly the great majority, approved of this prophetic universalism and felt that they could best champion this cause, this conception and interpretation of Judaism, in Babylon itself.

Yet these Jews had not compromised their Judaism nor departed from its teachings in the least. On the contrary, Deutero-Isaiah had not at all given birth to an absolutely new thought in his doctrine of universalism. Rather, this doctrine had been developing slowly but surely in the religious life and experience and thought of the people; it was the natural and necessary culmination of the evolution of prophetic religion. And the culmination at just this moment was largely due to the conditions of life in Babylon, away from the fatherland and all national influences. Although Deutero-Isaiah was the one who formulated the subconscious thought and philosophy in words, and was its foremost expounder and champion, none the less he was conspicuously the child of his times, just as were the other prophets in their days. Had not the nation fallen and Israel been led away to Babylon, we may be sure that neither Deutero-Isaiah nor any other prophet would have con-

terpretation of religion, a new and altogether different conception of revelation should gradually come into existence. The Torah

ceived of this doctrine. But not only he, but all who held this same view and interpreted Judaism in the same way, and in fact the whole movement itself, were the products of their times and conditions. And their attitude was not at all materialistic nor time-serving. They had a real, natural and well worked out philosophy of God and life and religion in general, and Judaism in particular, in this doctrine of divine fatherhood and human brotherhood and Israel's mission.

Nor was theirs at all a philosophy or policy of assimilation. Their conception of universalism was founded, not upon the principle of obliteration of national, racial, cultural or even religious differences, but solely upon the principle of world-wide recognition of the principles of divine fatherhood and human brotherhood and common worship of the one, true God. That theirs was no program of assimilation is proved by the fact that they insisted upon a peculiar, distinctive and separative role for Israel in this great scheme of universalism; Israel could discharge its God-imposed mission only by remaining distinctly Israel, and thus raising all the nations to its height of knowledge and belief, not by submerging and extinguishing itself among the nations. And it is proved even more concretely by the fact that just in Babylon Israel has ever, even unto the present day, maintained its separate existence, did not assimilate with the nations and disappear, but actually continued as the real stronghold of Jewish spiritual life and doctrine, even in contradistinction to Palestine, for over fifteen hundred years, until the tide of civilization moved westward, not to Palestine, but to northern Africa and Europe. We know too little of the life and history of these Babylonian Jews to adequately measure all the influences that determined the course of evolution of Judaism and, in time, produced a clear-cut and separative orthodoxy and ritualism among them. None the less we must recognize this principle of universalism at work among them, and that the product thereof was much that was spiritual and at the same time distinctly Jewish.

On the other hand, we must realize that the growing longing on the part of many for the restored and purified nation, and the development of the doctrine of holiness, "peculiarly sacred to God," was an equally natural and comprehensible outcome of the evolution of the religion. When permission was given to return to Palestine, the people had perforce to make choice of their future course; had to declare concretely their adherence to one or the other interpretation of Judaism and of the function of the Jewish people, whether chosen by God to be His witnesses to mankind, equally God's children, or chosen to be His only servants and worshippers, while He, in turn, would be their own, peculiar deity. That the majority, apparently, chose the course of universalism, is not surprising. It was the easier course and demanded less sacrifice. Yet, for all this, it was not the less idealistic and sublime. But equally, too, the sublimity of the faith and idealism of the returning exiles can not be overestimated. Probably, too, many believed in the doctrine of

was completed by the incorporation of the older, prophetic, didactic-historical writings with the new Priestly Code. The resultant

nationalism and national religion and holiness, but for one reason or another did not enroll among the returning exiles. Their reasons must have been too manifold to even conjecture. Not unlikely their influence upon the subsequent evolution of Babylonian Judaism was considerable.

It is interesting and significant to realize that an almost parallel condition obtains in Judaism to-day. It dates from that moment in the last century when the ghetto walls of Europe were thrown down and the Jew became a citizen, theoretically at least, of the nation in which he lived. Theoretically he was free to determine his course of conduct and the future evolution of his Jewish life and religion. In the ghetto, under repressive and oppressive laws he had no such freedom; he was compelled to live within himself, to confine himself to the study of his own law and the practice of his religion. That, in a way, he was content, we know. But now that a new world and new opportunities were suddenly opened, and he was bidden to choose, he found himself, theoretically, obliged to decide between two, or possibly three, alternatives. He might accept the proffered invitation and become a citizen; just because of his manifold, centuries-long experience, a kind of cosmopolite and universalist, even though at the same time a citizen of his own nation in the truest and highest sense. Or he might reject the invitation, and, instead, continue of his own free will the life that he had been compelled, by external forces, to live all these years. Or finally, he might step forth from his ghetto, but refuse to become a citizen of the nation in which he lived, and instead, seek to re-establish the old Jewish nation in Palestine, just as the exiles had done twenty-four hundred years before. What though the task was infinitely more difficult than then, and seemed to very many almost futile; none the less it was, theoretically, a legitimate alternative.

Practically the matter worked itself out very simply. Naturally the majority, enthused by the beauty of the ideal of freedom and universal brotherhood, so strongly emphasized in the early half of the nineteenth century, accepted the invitation wholeheartedly and unquestioningly, rejoiced in their new citizenship and in their opportunities for usefulness, knowledge and culture, and made the most thereof. The result has been, to make a long story short, our Reform Judaism. Its position, in one sense, is largely that of Deutero-Isaiah and those who shared his views, a lofty conception of the doctrine of universalism and of Israel's peculiar role, not as assimilated, but as distinct and separate, God's witnesses unto mankind.

Others, largely unconsciously, and largely, too, through force of circumstance, because opportunities for freedom were not fully presented, and repressive restrictions were not completely removed, or were speedily renewed, chose, or were forced to choose, to continue their former existence, with only slight modification.

The possibility of a third choice occurred at first to very few. Only slowly, as the glamor of freedom faded somewhat, and, also, as, after the

work, our present Pentateuch, soon acquired a peculiar sanctity and authority in Judaism. From then on the Law became the guide of all Jewish life and worship. Day by day the tradition found more general, unquestioned and literal acceptance, that the Torah, *i. e.*, the Pentateuch, had been divinely revealed to Moses, and constituted, therefore, the eternal, unchangeable, all-sufficient law for all Israel. Direct revelation was now altogether a thing of the past. The great, eternal revelation had

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partial taste of freedom, granted for a moment to those, compelled finally to make the second choice, had made the renewed oppression and persecution all the more unendurable, did the realization dawn that, theoretically at least, there was possibility of a third choice. Only a few realized it early, Moses Hess and one or two more (Cf. Gottheil, *Zionism*). Only since the reaction of political anti-Semitism set in throughout Europe, with its accompanying philosophy of racial nationalism, has the realization of this third possibility become strong. Zionism is the result. It is a revival of the old national-religious ideal and philosophy, with, however, far less emphasis laid upon the religious, and far more upon the purely national and cultural, elements. The idea of national "holiness" is once more, though perhaps not consciously, the watchword of Zionism.

If the ideal of Zionism should, under God's providence, ever be attained, undoubtedly it will be only the small minority of Jews, or even of Zionists, that will return to the land of their fathers and share actively in the upbuilding of the new Jewish state. The vast majority will surely, for manifold reasons, remain in their present homes, bound to their brethren in Palestine and throughout the world by close and indissoluble ties, yet at the same time proud, loyal and helpful citizens of the nation in which they live. Nor will it be mere materialism and lack of idealism that will hold them where they are. Possibly, too, the real center of Jewish life and culture and religious practice may be, not at all in Palestine, but, as at present, in Europe, or even in America. And the future of Judaism, particularly Judaism as a religion, may continue in the hands, not of returning nationalists, but of the Jews of the western continents.

No comment is necessary; in fact it would be out of place in a purely objective, historical discussion. But at least it is interesting, and more than interesting, to realize that present-day conditions are largely a replica of those of twenty-four hundred years ago, and that, despite the adverse claims of adherents of opposite schools, Reform Judaism and Orthodoxy and Zionism are all equally natural and logical, though to a certain extent contradictory and incompatible, developments in Judaism, all three the legitimate and even necessary products of religious historical evolution under God's providence, which, we maintain, is the fundamental principle of Judaism.

been through Moses[1]. Prophetic revelation was of secondary importance and individualistic and personal in character. The prophets were now regarded as mere inspired individuals, rather than as successive links in the great chain of Israel's religious and spiritual unfolding. And the nature of their inspiration and communion with God was different from, and far inferior to, that of Moses. Their words merely amplified the original revelation through Moses in a few minor points. Their great task, according to this new conception of revelation, had been, not to proclaim new truths, but merely to rebuke sinning and faithless Israel, and recall it to its allegiance to its God and its observance of the ancient, sacred law. Everything had been revealed by God to Israel through one man, Moses, in one single lifetime. And because of this conception, the real, prophetic principle of continuous revelation through history was forgotten and ceased to be understood. The Law contained everything for Israel, if not literally, then at least by implication. Revelation was final and complete in the Torah, and its content there might neither be added to nor subtracted from. The interpretation and expansion of the law by various and devious methods of hermeneutics now took the place of pre-exilic, prophetic revelation completely. And slowly, through the centuries, the vast body of oral law grew up and expanded, and the legalistic literature was created, the Mishnah, the Tosefta, the Talmud and the other minor works and later codes. The oral law was conceived of as also of divine origin and authority, equal, or almost equal, to the Torah itself; as indirect and unmediated revelation, as it were, yet equally binding upon the people. And as the Torah came in time to be regarded as almost supersacred and transcendental, the oral law took its place in the life of the people, regulating their daily conduct and worship. The Torah itself was remote, holy, taboo, inviolable. And such it has been ever since in Judaism; in Orthodox Judaism, certainly; in Reform Judaism, still to a large extent[2].

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[1] Cf. Kohler in *Jewish Encyclopedia*, VI, 607f.; X, 397f.

[2] Cf. Kohler, *Grundriss einer systematischen Theologie des Judentums auf geschichtlicher Grundlage*, 28-37.

II

BIBLICAL SCIENCE AND JUDAISM

During the last two centuries, a new movement in the study and interpretation of the Bible has begun, commonly known as Biblical Criticism. The name is rather unfortunate since "criticism" is to most people a word of negative connotation. To the popular mind, Biblical Criticism represents a dangerous and destructive tendency in Bible study, the aim of which is to pick the Bible to pieces, to deny all its truth, sanctity and religious value, and to undermine all the foundations of religious belief and practice. Such a conception is altogether ignorant of the true nature and purpose of Biblical Criticism. Its sole aim is to discover all the truth about the Bible, just because the Bible is the wonderful book it is. It seeks to learn all it can about the way in which the Bible came into being, the periods in which its various books and parts were composed, the conditions affecting their composition and the purpose for which they were written, and the manifold ways in which they have been interpreted. In many cases, too, where the original Hebrew text has been corrupted through generations and centuries of more or less unskillful and inexact copying by hand, or through other equally potent and comprehensible causes, Biblical Criticism seeks, and with remarkable success, to restore the original text. In all this work it follows strictly scientific methods, bases itself upon the exact principles of logic, and on the whole, with the exception of the vagaries of a few extreme enthusiasts, has worked out its conclusions along safe and conservative lines. For this reason the term, Biblical Science, would seem immeasurably superior to, and more just than, Biblical Criticism.

Biblical Science, as a science, particularly in its relation to the Pentateuch, may be said to have begun, systematically, with Astruc's "Conjectures" in 1753[1]. But already from about the middle of the seventeenth century, or even earlier, vague beginnings had been made and hazy conjectures advanced in the writings of Carlstadt, Hobbes, de la Peyrere, Spinoza,

[1] Cf. Carpenter and Harford, *The Composition of the Hexateuch*, 53ff.

Simon, Le Clerc and others[1]. Even five or six centuries before this, Yitzchaki (982-1057) had held that Gen. XXXVI must have been written during the reign of Jehosaphat[2]. And Abraham ibn Ezra (1092-1167), while rejecting this hypothesis, hinted nevertheless at twelve significant contradictions and anachronisms in the text of the Pentateuch, and implied that whoever could understand the mystery of these twelve, would understand the truth, which, however, he implied, was of such character as to forbid popular presentation[3]. Even before Ibn Ezra, and frequently quoted by him, Moses ibn Gikatilla had begun the purely historical interpretation of the Prophets and the Hagiographa, and had advanced, among other things, the hypothesis that the last part of Isaiah was the product of the period of the second Temple, and that certain Psalms, particularly XLII, CXXXVII and the last two verses of LI, were written, not by David, but by Jewish exiles in Babylon[4]. In fact, it would not be at all amiss to assert that modern Biblical Science had its real beginning with Saadia (892-942)[5], in his system of Biblical interpretation according to the *peshaṭ*[6], or simple, literal meaning, as opposed to the Midrashic and allegorical exegesis, that obtained up to his time. And the real foundations of Biblical Science were laid in the grammatical and lexicographical works of such Jewish-Arabic scholars as Saadia himself, Menachem ibn Saruk, Dunash ibn Labrat, Judah ibn Hayyug, Abu 'l Walid Merwan ibn Janah, and the Kimchis[7]. In other words, modern Biblical Science is actually the outgrowth of the Biblical studies of mediaeval Jewish scholars, who believed implicitly that, to be rightly understood, the Bible must be studied and interpreted along strictly scientific and rational lines.

But while thus positing the principle of scientific investigation of the Bible, and developing the preliminary studies of Hebrew philology along scientific lines, these mediaeval Jewish

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[1] *Op. cit.* 36ff. [2] Cf. *Jewish Encyclopedia*, VI, 623.
[3] Commentary to Dt. I, 3, and *Jewish Encyclopedia*, VI, 520-524.
[4] *Op. cit.* V, 666f. [5] *Op. cit.* X, 579ff.
[6] Cf. Bacher in *op. cit.* III, 166 and X, 582f., and Lauterbach in *op. cit.* IX, 652f.
[7] Cf. Bacher in *op. cit.* VI, 69f.

scholars could scarcely anticipate into what channels and to what conclusions their work must eventually lead. Abraham ibn Ezra had dimly realized this, as is clear from his remark about "the mystery of the twelve." But apparently even he, bold scholar though he was, hesitated to pursue the study along scientific lines to its logical ends, or even to clearly formulate in his own mind the logical inference from this "mystery of the twelve."

For in a way the one all-important, though largely negative conclusion of Biblical Science is that, contrary to the traditional Jewish view, the Torah or Pentateuch is not the work of one man, Moses, but of many men, living at various periods in Israel's early history. It represents the results of literary activity in Israel, extending over a period of about six or seven hundred years, from about 1000 B. C., or a little later, to approximately 400 or 300 B. C. It can therefore not be, in an absolutely literal sense, the divinely revealed word of God[1]. This conclusion is based upon an almost overwhelming mass of evidence, and is now generally accepted, except by extreme conservative and orthodox scholars.

But this much was, after all, merely negative work; it consisted chiefly in disproval and repudiation of traditional beliefs and theories about the Bible and its various books, told, in short, what the Pentateuch and the entire Bible are *not*, and how they might *not* be interpreted historically and scientifically. The beginning of every science, and in fact of every new and significant work, is in criticism, negation and refutation of outgrown beliefs and hypotheses, in tearing out and pulling down and clearing away, in order to build up and to plant[2]. Thus far the term, Biblical Criticism, in its usual negative connotation, was fully justified. True, in refuting the traditional views of Biblical authorship and interpretation, Biblical Criticism did arrive at certain new, and, in a sense, positive conclusions, chiefly as to the authorship and dates of various portions of the Bible. But even this was only preliminary work, and incidental to, and complementary of, the more

[1] Cf. McCurdy in *op. cit.* III, 178.
[2] Jer. I, 10.

fundamental and negative work of denial and refutation. Only in recent years has the more positive and constructive side of the work come clearly to the fore and become fully and rightly comprehended. Here Biblical Criticism ceases and Biblical Science begins.

Positive Biblical Science may be said to have begun with the epoch-making work of Professor Heinrich Ewald, *The History of Israel.*[1] Since then the science has developed steadily and systematically. Among its foremost pioneers were Kuenen, Nöldeke, Wellhausen, Robertson Smith, Stade, Driver and many others[2]. In recent years the able and earnest workers in this field have become too numerous for mention here. As the result of their faithful labors, and with the help of extra-Biblical material from the fields of Semitics, Egyptology, Archaeology and Comparative Religion, the history of Israel in the Biblical period has been reconstructed so radically and convincingly, that today we view in a new and positive light the rise and growth of the people, Israel, and of its various institutions, political, economic and religious, the whole course of its religious evolution, and its significance for modern religious belief and practice. This is Biblical Science.

Naturally so tremendous a field of scientific investigation offers ample room for wide diversity of opinion and interpretation. There are all manner of scholars, conservatives and radicals; enthusiasts who ride rash and unfounded hypotheses to death, like the late lamented Cheyne in his last years, with his wild and discredited *Yerachme'el* hypothesis; reactionaries, like Eerdmans, whose work, nevertheless, has much positive value, in that it lays an effective check upon too radical and insufficiently proved hypotheses. There are various schools of investigation and interpretation; the literary school, of which Wellhausen is the prototype; the so-called Pan-Babylonian school of Winckler and Alfred Jeremias; the closely related school of comparative mythologists, of whom Stucken is possibly the extreme representative; and the literary-historical school, that bases itself directly upon the literary school, yet in its work

[1] First edition in 1843; cf. Cheyne, *Founders of Old Testament Criticism*, 104ff.

[2] Cheyne, *op. cit.*

makes wider application of recent discoveries in Semitics, Egyptology, Archaeology, Comparative Religion and Mythology and other kindred sciences. The interests and work of this last school are primarily historical rather than literary, although its close kinship to, and dependence upon, the literary school are universally recognized. Among its members may be found representatives of the two great tendencies in the interpretation of history; scholars who, like Carlyle, regard history primarily as the resultant of the thoughts, achievements and personalities of great individuals; others who, like Buckle, regard the individual, heroic in person and achievement though he be, as a smaller factor in the making of history than the nation or the people or the race itself, with all its racial, psychological and spiritual tendencies and endowments.

Since Biblical Science touches closely upon the vital religious beliefs and traditions of the great majority of the civilized world, and since, moreover, mankind is naturally conservative, traditional, and often reactionary in matters of religion, it is but natural that Biblical Science should have stirred up many opponents, and that these should avidly and constantly point to these many and wide differences of method, opinion and interpretation among Biblical scholars as the best evidence that Biblical Science has discredited itself and proved its conclusions groundless. It is, however, premature rejoicing. These very differences are the final safeguard of Biblical Science; they make it indeed Biblical Science rather than Biblical Criticism, and assure its progress, like that of every other science, along sane, logical, conservative and systematic lines. They are the most convincing evidence that its general conclusions, accepted by the vast majority of modern scholars, are established beyond possibility of doubt, and that the science must go on from strength to strength and from knowledge to knowledge, building up an ever more complete and comprehensive knowledge of Israel, the nation, and Judaism, the religion.

That the course of evolution of this new Biblical Science has been natural and logical is beyond question. First the old, out-lived and disintegrating edifice of traditional beliefs and dogmas was cleared away by the patient, searching investigations of Biblical Criticism, and a new foundation for a loftier

and grander and more enduring temple, consecrated to the knowledge of God, was laid on the ancient site by the literary critics and scholars. On this foundation of the literary analysis of the Bible the new and positive history is being built, the new and glorious temple of the true knowledge of God erected. But what is the significance of this new knowledge for Judaism, and what part have Jewish builders played in the erection of this new temple? Certainly its significance for Judaism must be direct and far-reaching. And presumably Jewish scholars have contributed their share, and a large share, in the evolution of this new and important science, the earliest beginnings of which, as has been shown, were made within their ranks. But alas, such is not the case! Modern Jewish scholars have given almost nothing to the development of the new science. And scarcely has the problem of its actual significance for Judaism been boldly faced and definitely solved by Jewish scholars at large!

For the same reason that Ibn Ezra hesitated to more than merely hint at "the mystery of the twelve" and its import, and felt constrained to reject with scorn Yitzchaki's hypothesis of the date of Gen. XXXVI, so the scientific study of the Pentateuch, with its one, great, obvious conclusion of human, non-Mosaic, composite authorship, was absolutely taboo, anathema, to Jews and Judaism. Spinoza, it is true, attempted it in his *Tractatus Theologico-politicus*, but Spinoza was not bound by the doctrines of Orthodox Judaism. To all Jews since Ezra, the Torah has been the divinely revealed word of God, sacred and revered, the accepted basis of all Judaism. And the scientific conclusion of non-Mosaic and composite authorship seemed necessarily both irreverent and heretical, a profanation of that which Judaism has for twenty-four hundred years held most sacred. In consequence, since Spinoza, with but a few noteworthy exceptions[1], Jewish scholars have contributed nothing

[1] In the field of textual criticism, in addition to Azariah dei Rossi (1513-1578), and so a century older than Spinoza (cf. *Jewish Encyclopedia*, X, 485), S. D. Luzzato (1800-1865; cf. *op. cit.* VIII, 224f.) and Abraham Geiger (cf. below, pp. 249f.) may be mentioned. Among the so-called higher critics of the Pentateuch, Leopold Zunz (cf. Hirsch, in *Jewish Encyclopedia*, XII, 699-704) and M. M. Kalisch (cf. *op. cit.* VII, 420 and Cheyne, *op. cit.*, 204-208) are almost the only notable representatives of Judaism.

at all to the development of the scientific study and interpretation of the Pentateuch[1]. Some Jewish names may be mentioned in connection with the modern exegesis of the extra-Pentateuchal books, but even these are very few. And, in consequence, the strange, anomalous, yet altogether natural and comprehensible condition has arisen, that the Bible, the Book of the People of the Book, even in the original Hebrew, is now being interpreted scientifically to the world, and consequently to Jews as well, by non-Jewish scholars, and interpreted often in a non-Jewish, and occasionally even in an anti-Jewish manner and spirit. It is indeed one of the most striking anomalies of the present day.

Nevertheless this scientific interpretation of the Bible, and particularly of the Pentateuch, has powerfully affected modern Jewish belief and practice. The reform movement in Judaism, it has been often, and in a sense correctly, said, began with the Mendelssohnian translation of the Bible into German[2]. This certainly helped mightily to bring the Jew forth from the narrow confines of Ghetto life into the broad, progressive, intellectual and spiritual world[3]. In a moment, as it were, Reform Judaism was born, the offspring of ancient, traditional Judaism, reacted upon by the new life, culture and environment. Judaism has ever been a religion of actual, present-day life, almost as much the product of contemporaneous environment as of ancient tradition and history. Or, perhaps better expressed, real Judaism has always been the resultant, consciously or unconsciously on the part of its adherents, of continuous historic evolution, crystallized by contemporaneous environment into a present-day religion of actual life. For this reason largely the Jew has always been the most adaptable of men, has found it comparatively easy to accommodate himself to new lands and new conditions and to carry his religion of life with him and adapt it to his ever changing environment, and still maintain it as the religion of life.

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[1] Cf. Bacher in *Jewish Encyclopedia*, III, 173f.

[2] Cf. Philipson, *The Reform Movement in Judaism*, 9 and 12-14.

[3] Cf. Kayserling in *Jewish Encyclopedia*, VIII, 483.

Therefore with his political and spiritual emancipation in the first half of the nineteenth century, and his consequent participation in the various modern educational and cultural movements, with his insatiable thirst for knowledge and the large opportunities to acquire knowledge, with schools, colleges, universities and libraries now open to him, the Jew could not remain unaffected by, nor unresponsive to, the teachings of the growing Biblical Science, even though, as yet, he hardly dared contribute actively and positively thereto. The teachings and tenets of Biblical Criticism were in the air in the latter half of the nineteenth century, and cultured and thinking people were more or less affected thereby. Much of the prevailing atheism and agnosticism of that period were the result of the misunderstanding and wrong application of the Biblical Criticism of that time.

To a certain extent, though in an altogether different way, Reform Judaism was likewise influenced by the current Biblical Criticism of the middle quarters of the nineteenth century. For one of the most pronounced external manifestations of the reform movement in Judaism has been the disregard and abandonment of many ancient, ceremonial institutions, even some whose observance is commanded in the Torah, and is not due merely to rabbinical expansion of Pentateuchal commands. Such laws as those concerning fringes[1], mixtures in garments[2], shaving the corners of the head[3], *chalitzah*[4] and many others, conformity to which is in no wise conditioned by the non-existence of the Temple, are observed today by few, if any, Reform Jews. Other laws, dependent upon the existence of the Temple and the survival of the Aaronic priesthood, are abandoned of necessity, and, for the most part, with but little regret. In practice, at least, a negative principle seems to determine the attitude of Reform Judaism toward the laws of the Torah. In the main, only those laws are still considered binding which have a positive ethical sanction or a fundamental spiritual, religious value. Other laws need not be, and as a rule, are not, observed. A few laws, negative in character, *i. e.*, laws that

[1] Num. XV, 38-41; Dt. XXII, 12. [3] Lev. XIX, 27; XXI, 5.
[2] Lev. XIX, 19; Dt. XXII, 11. [4] Dt. XXV, 5-10.

prohibit some positive act, as, for example, many of the laws dealing with forbidden foods, are still observed by some conservatives. But even such negative observance is becoming less. More and more a sense of absolution from the observance of Biblical, as well as rabbinic laws, that apparently have little or no spiritual or ethical import or sanction, and in consequence the practical abrogation of these laws, is asserting itself in Reform Judaism. This attitude could hardly have developed, or even have begun to develop, without at least tacit, or perhaps unconscious, but none the less real, recognition during the middle quarters of the nineteenth century of the principles and conclusions of Biblical Criticism.

But from the theoretical standpoint, it must be admitted that this attitude is altogether illogical, particularly on the part of those who still believe, or wish to believe, in the divine origin and Mosaic authorship of the Torah. Laws of divine origin can not be abrogated by mere considerations of expediency, or even of outgrown spiritual or ethical value. The very fact of divine origin must lend to even the apparently most trivial laws positive, spiritual sanction. The first logical act of Reform Judaism, therefore, should have been to face clearly and bravely the very difficult and delicate question of the historic correctness of the tradition of the divine origin and Mosaic authorship of the Torah, and only when this question had been answered, after mature consideration, with an unqualified negative, would the next step have been justified, namely, the determination of the proper attitude of Reform Judaism toward the laws of the Torah, and the abrogation of such laws as had been outgrown. Until the Torah had been proved not of divine origin and Mosaic authorship, there could, logically, be no right nor authority to disregard its laws; there could be no attitude other than that of strictest Orthodoxy, namely, unquestioning acceptance and scrupulous observance.

That some, at least, of the pioneer reformers were not blind to this truth is certain. It is interesting to note that, in attempting to justify the abrogation of certain ceremonial institutions, Samuel Holdheim gave expression to the significant principle that "the spirit of the age is also a revelation of God,

and that this commanded the abolition of many observances that had religious sanction at one time."[1] Elsewhere he asserted that "the present requires a principle, that shall enunciate clearly that a law, even though divine, is potent only so long as the conditions and circumstances of life, to meet which it was enacted, continue; when these change, however, the law also must be abrogated, even though it have God for its author. For God Himself has shown indubitably that with the change of the circumstances and conditions of life for which He once gave these laws, the laws themselves cease to be operative, that they *shall* be observed no longer because they *can* be observed no longer * * * *. The present age and its guiding principle, as thus formulated, recognize the working of God in history; it believes truly and firmly in the providential guidance of the fortunes of mankind; it looks upon the deeds recorded in the history of mankind as the deeds of God, whereby He speaks as clearly as He ever did; a particular revelation of God to a single person is dispensable when God speaks to all and reveals His will to all."[2] In this declaration Holdheim seems not only to have rejected entirely the orthodox conception of revelation through Moses and the Torah, but also to have unconsciously returned, though by no means completely, to the ancient, prophetic conception. But the problem of reform seems to have presented itself to him chiefly in its negative aspect. His main concern, as in fact that of all early Reform Judaism, seems to have been the abrogation of outgrown laws, rather than the determination of the proper guiding principle of positive reform and progress. It is true that he did show some appreciation of the positive principle in his declaration about the God of history revealing Himself through history, and in just this respect he approached close to the prophetic conception of revelation. But his application of the principle was almost completely negative and limited.

Still less logical and satisfactory was the position of the Frankfort Society of the Friends of Reform, and others with and after them, who shared their view, that the true solution

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[1] Quoted from Philipson, *op. cit.* 13.

[2] *Op. cit.* 180 note.

of the problem of reform lay in the repudiation of rabbinical law and literature and the return to Mosaism, *i. e.*, the observance of the Pentateuchal laws alone[1]. Not only did this movement fail utterly to appreciate the real, inward truth of Judaism and its history, as Philipson has so ably shown, but it likewise rested upon a false scientific basis. For it applied the principle of scientific investigation to the rabbinical portion of the content of orthodox revelation, with the negative conclusion that the oral law was not of divine origin and consequently no longer binding. But it failed, or refused, to apply this same principle to the Torah. Instead it insisted unquestioningly upon the historical correctness of the tradition of Mosaic revelation, yet, at the same time, it ventured to disregard and abrogate various Pentateuchal laws. This was the extreme of inconsistency.

Far more thoroughgoing, scholarly and convincing was the pronouncement of Abraham Geiger, that "the genius of the people of Israel is the vehicle of revelation."[2] Elsewhere Geiger declared revelation to be "an illumination of the Jewish genius by the Divine Mind, which caused the whole people to come nearer the everlasting truth than any other. Judaism is not a religion given by one man; Israel's God is not called the God of Moses, or of Isaiah, but of Abraham, Isaac and Jacob, that is, of the fathers of the nation, who imparted the deep powers of religious intention and inspiration to all the seers, singers and teachers, the framers of the Jewish religion."[3] In accordance with this principle, Geiger insisted constantly that the entire Bible, including the Torah, and also the Talmud and all Jewish literature, must be studied from a strictly historical standpoint. Judaism is essentially a historical religion, the resultant of natural historical evolution, and only when studied and expounded from this standpoint, can Judaism be rightly understood[4]. Far more

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[1] *Op. cit.* 179f.

[2] Quoted from Hirsch in *Jewish Encyclopedia*, V, 584ff.

[3] Quoted from Kohler in *Jewish Encyclopedia*, X, 397.

[4] Cf. in particular, Geiger's articles, "Das Judenthum unserer Zeit und die Bestrebungen in ihm," in his *Zeitschrift für jüdische Theologie*, I (1835), 2f. and 11, and "Der Boden zur Aussaat," in his *Jüdische Zeitschrift für Wissenschaft und Leben*, I (1862), 1-9.

than any of the other pioneer reformers, Geiger appreciated this principle fully. And, almost alone among them,[1] he conscientiously, boldly and unreservedly gave himself to the scientific study of the Bible, and particularly of the history of the original Hebrew text and its translations, always with full understanding of the significance of these studies for the reform movement in Judaism. His is one of the few Jewish names to which we may point with pride among the founders of modern Biblical Science. His chief critical work, *Urschrift und Uebersetzungen der Bibel*[2], is still today of prime scientific value.

Since Geiger, however, many, if not most, of our reform leaders have only tacitly, and on the whole rather reluctantly, admitted the main conclusions of Biblical Science. And instead of continuing Geiger's work of unfolding the significance of this developing science for Reform Judaism, they have, for one reason or another, devoted themselves rather to what is generally considered the practical and popular side of the work of reform. Many today, animated by the so-called current neo-orthodoxy and reaction against reform, and with a short-sighted fear of the evident, logical conclusions, even pride themselves somewhat upon having assumed an attitude toward Biblical Science, which they call sane and conservative, but which is in reality reactionary, unscientific and illogical. Like the ostrich, which, unable to escape its pursuers, hides its head in the sand, and, no longer actually beholding the danger, thinks itself safe, so too, these present-day "sane and conservative", unprogressive

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[1] As has been stated, Zunz, too, accepted the conclusions of Biblical Criticism unreservedly, and even himself contributed something thereto (cf. his writings in the *Zeitschrift der deutschen morgenländischen Gesellschaft*, XXVII, 669-689, and *Gesammelte Schriften*, I, 217-270). But Zunz himself was not a conscious religious reformer, nor even in full sympathy with the purpose and tendencies of early Reform Judaism (cf. Hirsch in *Jewish Encyclopedia*, XII, 699-704). His interest in Biblical studies was purely academic and scientific. And while, in his letters to David Kaufmann, he did give expression to the significant thoughts, "opinions on books are not subject to the authority of religion," and "why do they not inquire whether it be true or false? Miserable men they, who desire not to be disturbed" (quoted from *op. cit.* 704), none the less he did not feel called upon to discuss the import of his own Biblical studies or of all Biblical Criticism for Judaism.

[2] Breslau, 1857.

progressives believe that so long as they refuse to acknowledge the validity of Biblical Science, or even to admit the existence of the problems which Biblical Science labors to solve, just so long neither the problems themselves nor the solution offered by Biblical Science exist, either for them or for Reform Judaism at large. Others seek to compromise, and would harmonize the old traditional belief in the divine origin and Mosaic authorship of the Torah with the dicta of Biblical Science, by recourse to an artificial, pragmatic theology and frequent reference to Mysticism and tendencies toward Mysticism in the latest systems of philosophy, particularly those of Bergson and Eucken. Mysticism is a term altogether justifiable in its application to that which is as yet unknown, or which may be eternally unknowable, yet which must be considered in theological thought and discussion; but in its misapplication to that which is, or may easily be, known by every one, even themselves, too frequent reference to Mysticism almost indicates insufficient intellectual courage and faith. Certainly these are anomalous, silly, fearsome and pitiful attitudes for professed leaders of a supposedly progressive movement.

At the same time neither they nor the founders and early leaders of Reform Judaism, other than Geiger, are to be blamed too greatly for their inconsistency and lack of logic. As a rule movements like Reform Judaism do not arise and develop along the lines of strict logic. They are far oftener the result of spiritual, economic or cultural needs or tendencies, and the logic follows later in the inevitable need for readjustment and reestablishment upon a truly safe, sane and philosophic basis. For this reason the rise of Reform Judaism and its development up to the present day accord strictly with historical principles. The reform movement in Judaism was a historical necessity. And the present negative attitude toward the laws of the Torah could hardly have been at all other than it is. But while admitting all this, we must recognize too that the early leaders of Reform Judaism, and many of our leaders today, did and do, in their virtual abrogation of the majority of the Pentateuchal laws, put the cart before the horse, and were and are distinctly illogical and inconsistent.

But for us today conditions are different. Reform Judaism is now well established and its program of work and line of future evolution can be fairly clearly forseen. For us the work of readjustment and of logical reestablishment has begun, in order that the future development may proceed smoothly and evenly and along definite, positive and constructive lines. The fact of the human, composite authorship is today beyond question, and must be admitted, even though grudgingly, by the most conservative and traditional of our present-day leaders of Reform Judaism. And the majority do admit, even though reluctantly, to themselves at least, and very many to their congregations also, the fact of human, composite authorship of the Pentateuch. And thus, they believe, they justify, in a way and with a certain logic, the negative attitude which Reform Judaism has had, through historical necessity, to assume toward the laws of the Torah. But it must be admitted, that this is, like the first position of Biblical Criticism, at best purely negative work, defining what the Torah is *not* and what the Bible is *not*, and what significance and binding force the Biblical laws and narratives need *not*, or can *not*, have.

But in this negative position, which Biblical Science on its part has at last outgrown, Reform Judaism can not longer abide. Nor can we remain content with the strange anomaly that our Bible should be investigated and expounded scientifically, expounded for us Jews too, only by non-Jewish scholars, and often even from a non-Jewish standpoint and with non-Jewish sympathy. Biblical Science is today recognized as an established and legitimate science, and the significance of its conclusions and teachings for all religious belief and practice is becoming increasingly understood. More and more practically all creeds and denominations today are being compelled, generally against their will, to notice seriously, and take definite stand in regard to, the principles and teachings of Biblical Science. Usually their first position is wholly negative and antagonistic. But as the years pass, slowly but steadily this first position is being modified in the face of the irrefutable and persistent truths which Biblical Science proclaims. And with this change of position, more and more the realization is dawning, that Biblical Science and its teachings are not at all negative nor dangerous nor destructive

of true religion and true faith, but on the contrary are altogether positive, helpful and constructive. Old, deep-rooted errors, blinding superstitions and falsely accentuated doctrines are being swept away; emphasis is laid upon the fundamental and vital principles of religious life and faith; and the path is being prepared for intelligent, rational and progressive observance and practice. More and more this truth is becoming apparent, and religion today is undergoing a noticeable and significant transformation.

But no more, and in reality far less, than any other present-day, progressive religion or denomination, can Reform Judaism refuse to take cognizance of Biblical Science, or shut eyes and ears to its teachings. If, as some believe, or wish to believe, the conclusions of Biblical Science be not true, they should be refuted by competent Jewish scholars and their falseness proved, that Judaism may be left free to develop unhampered by their pernicious influence. But in such case Reform Judaism must logically renounce its present negative attitude toward the Torah and its laws, and revive the observance of all the divinely ordained Biblical statutes.

But if the main conclusions of Biblical Science are correct and can not be refuted, and more and more it is becoming evident that such is the case, then it is indeed high time that Reform Judaism advance beyond its negative attitude of tacit denial of the divine origin and Mosaic authorship of the Torah, and consequent justification of its disregard of those laws which do not accord with its philosophy of life, religion and ethics; it is high time that it begin to assume a positive attitude, that it ask itself, "If the Torah be not, as our ancestors believed, of divine origin and Mosaic authorship, and therefore all the laws of the Torah be not literally binding upon us, nor the Pentateuchal account of the beginnings of our religion necessarily literally true, what then is the actual, early history of Israel; what the real origin and first development of our religion; what the positive significance of the Torah, its narratives and its laws, for Judaism today and in the future?"[1] Surely we can not disre-

[1] Cf. Kohler, *Grundriss einer systematischen Theologie des Judentums auf geschichtlicher Grundlage*, 34ff.

gard the Torah entirely, nor reject our Bible completely. Even though we do know that it is not what tradition proclaimed it, for us it is still the Bible, the Book, our Book, and we are still the People of the Book. And from its inspiring pages we not only can and must still gather eternal, ethical truth and knowledge, but also, if it be rightly understood and interpreted, as Biblical Science now teaches, we may learn from it just how our ancestors arrived at all this ethical and spiritual truth, how they came to know God at first just a little, and how, as the years and centuries passed, this knowledge of God grew and grew; how, even though it was not given to them either to behold God's face or to know the fullness of His way, yet little by little they did come to see His back and hear His voice and learn His true name, and step by step He did reveal to them through His servants, the prophets, and through the course of their long and wondrous and God-guided history, as much of His way as it has been given to man thus far to know. This is the history of our religion, our Judaism. And a part, and a most significant part, of this history we may learn from this new study of the Bible. We still believe in God's self-revelation through history, through the history of the past, rightly understood and interpreted, and through the history of the present. Reform Judaism, following Geiger, adheres firmly to the principle of historic evolution, and regards itself as the last step, up to the present day, in the great historic evolution that began with the very moment of Israel's birth as a people, or, even before that, in all the events and circumstances antecedent and preparatory thereto, and has continued through the successive periods of Jewish history and Jewish life down to the present day, and will continue through the present day into the great infinite tomorrow of life and history.

For just this reason Reform Judaism may no longer stand still in its purely negative attitude, and refuse, through its reputed leaders, to either affirm or deny the conclusions of Biblical Science. To correctly and fully understand our Judaism of today, and to properly and constructively guide and further its future evolution, as far as it lies within our power so to do, we must know all its past history aright, and in as great detail

as possible. And above all, we must know the history of our people and our religion as Biblical Science reconstructs it for us, *i. e.*, as our Bible, truly interpreted, teaches it to us, in the earliest period of its origin and first development, when it was just beginning to unfold itself, to formulate its eternal, wondrous message of ethical monotheism and human brotherhood, was preparing to assume its unique and glorious position in human history as the world's teacher of religion, the witness unto mankind of God's truth, the bearer unto man of the knowledge of God's life on earth.

But for just this end, that we may know our religion and our whole history aright, we must have our own Jewish Biblical scientists, who will reconstruct and interpret this history from a positive Jewish standpoint, in accordance with our historic Jewish consciousness and with full appreciation of the principle of historic continuity in Judaism. For us this science is far more vital than for any others. It is our literature, our history and our religion that are the objects of its investigation. And we must face the issue squarely and work out for ourselves the full, scientific knowledge of the origin and history of our people and our religion. Our procedure must be conservative, reverent and sympathetic, with tender consideration for time-consecrated tradition. As far as possible we must guard against all possible errors and too hasty or radical conclusions. But if many of our conclusions be untraditional, as they needs must be, none the less we must have implicit faith in them, and bravely work them out and apply them in their full significance. We must have full faith in ourselves, and others will then have faith in us, that we are not destroying the foundations of our Judaism, as many short-sighted and timorous traditionalists fear. We are not questioning the existence of God, nor denying, nor abrogating a single one of the vital, spiritual truths of Judaism. We are merely perfecting our knowledge of Judaism, our knowledge of the way in which our ancestors and our fathers and we ourselves came to know what we do know about God and the life He has ordained that man should live. We are returning, as it were, to the conception of revelation and of religion that was held by the prophets; are interpreting all our history, from its

beginning unto the present day, in the same spirit as they interpreted it; are conscious of the God of our fathers revealing Himself to us still to-day, and to all mankind throughout eternity, as He did to Israel of old. And we too, as the prophets, may feel His spirit upon us, His voice speaking through us, and His message of the ages upon our tongues. God in history, in the history of the present and the future, as well as of the past; God eternally revealing Himself and His purpose unto mankind, and we the agents of His revelation, the people whom He chose to be His witnesses and His messengers unto mankind, His prophet-people, who must interpret His revelation unto our brothers, His children also, all mankind—this is the true message of Judaism, if only we can open our eyes and understand and proclaim it. And in this spirit of truth and progress and continuous revelation and historic evolution, that are the real, basic principles of our religion, we must study and interpret our Bible for ourselves and for the Jewish people at large; and not only our Bible, but all our vast literature and all our unique and wonderful and inspiring history. And thereby we shall add our little mite to the true knowledge of God and God's way, which we call Judaism, and which we shall preserve and develop and hand down as our proudest and most sacred heritage to our children and our children's children.

In this spirit and with this end constantly in mind, we turn now to the consideration, from the strictly scientific standpoint, of the foundations, or perhaps better, some of the foundations, of Israel's history, national, religious and spiritual.

III.

THE SOURCES OF ISRAEL'S EARLY HISTORY

The authentic history of Israel begins only with the entrance of the tribes into Canaan. Even for some time thereafter there is not a single event of which we have detailed information. Not until the reign of David can we follow the course of history with anything approaching proper consecution. David established a typical Oriental monarchy. Among his numerous court officials was the *sofer*, the court scribe, who recorded the

illustrious deeds of the king and the glorious events of his reign[1]. Thereafter we have the Chronicles of Solomon and the Chronicles of the Kings of Israel and Judah, which, later, constituted the chief sources of the authors of the Books of Kings[2].

The institution of the monarchy marks the beginning of systematic literary activity in Israel. A purely agricultural people, living under tribal or semi-tribal government, and during the latter portion of the pre-monarchic period either subject to the oppressive Philistine yoke, or engaged in a death-struggle for independence, could have neither opportunity, inclination nor probably even ability to produce a historical or national literature. In fact, there could be neither national literature nor national history, until the nation had actually come into existence. Not until the time of David were the loosely-related tribes bound together into a fairly close union. Until then they had existed as almost totally independent ethnic units, with merely the nucleus of a nation gradually evolving in a loose federation of five or six tribes in the central and northern parts of the country. Accordingly all traditions and whatever literature existed before the establishment of the nation must have been altogether tribal in character. The traditions were handed down within the tribe, and were recited in poetic form at tribal gatherings. Such has ever been the beginning of literature, and especially among the Semitic peoples[3]. Science has proved conclusively, that the oldest portions of Hebrew literature are certain Biblical poems or fragments of poems[4].

But the moment literature ceases to be the product of passing enthusiasm and ecstasy, and comes to deal in systematic, comprehensive manner with every-day life, it descends from poetry to prose. But just because of this, prose can begin only when a people at large reaches a certain high stage of culture

[1] Cf. II Sam. VIII, 17; XX, 25.

[2] I Ki. XI, 41; XIV, 19, 29, and *passim* in I and II Ki.

[3] Cf. Wellhausen, *Reste des altarabischen Heidentums*, 84ff.; Moore, *Judges; International Critical Commentary*, 136.

[4] Typical among these, and of paramount historical significance is the song of Deborah (Jud. V), undoubtedly the product of the 12th century B. C., cf. Moore *op. cit.* 127-173.

and finds opportunity and leisure for literary activity. This condition, too, began to obtain in Israel only after the establishment of the monarchy. It were an easy task, did time permit, to trace the course of Israel's literary history. However, we can state here only in a summary manner that absolutely every bit of prose in the Bible was written only after the rise of the kingdom under David, and was consequently composed entirely from the national standpoint. The entire Bible, therefore, with the exception of a few ancient poetic fragments, represents Israel as a united people of such long standing that the national consciousness dominates everything. The tribal standpoint is almost entirely forgotten, and traditions, originally tribal in character, have been modified and recast altogether from the national point of view. Originally tribal heroes, like Gideon and Jephthah, have been made over into national heroes. So completely did the people come to feel itself a nation, that the true account of its national origin under David was altogether forgotten in favor of a gradually rising and commonly accepted tradition, that ascribed the origin of the united people to remote antiquity and to one common ancestor.

This partially *a priori* account of the beginning and first development of literary activity in Israel is fully corroborated by modern Biblical Science. We know now that the entire Hexateuch, *i. e.*, the Pentateuch plus Joshua, is, with the exception of a few fragments of ancient poems, the product of the period between 932 B. C., the date of the division of the kingdom, and the 4th or 3rd century B. C. It is absolutely certain that not one word of the Hexateuch goes back to the traditional period of desert wanderings. We know that this Hexateuch is the work of various writers and epochs, and that the different portions or documents were written under varying conditions and with varying purposes, and have in consequence unequal historical value.

Hence, for the early period of Israel's sojourn in Canaan, comparatively little trustworthy material exists in the Hexateuch. Merely a few traditions from the oldest sources, found chiefly in Exodus, Numbers and Joshua, have value. Our chief material is found in Judges and Samuel, large portions of which

belong to the very oldest Biblical sources. The information thus gathered is strongly corroborated and supplemented by the evidence of modern excavations, by the Tell-el-Amarna letters and kindred documents, and occasional, scattered references upon Egyptian and Babylonian monuments, and by the study of Beduin customs and beliefs of today. From this scanty material we must reconstruct our early history of Israel. Small wonder that it must be fragmentary, with many and serious lacunae, and that many questions must be left unsolved, at least for the present. Still we can reconstruct the history sufficiently to follow, in considerable detail, Israel's developing religious, social and economic life, and determine the origin, growth and real significance of its various distinctive institutions. And this, we believe, is history.

IV

ISRAEL IN THE DESERT

Israel's real history begins only with the entrance of the tribes into Canaan. The Hexateuch, written entirely from the national standpoint, records the commonly accepted tradition of twelve tribes, having first conquered the country east of the Jordan, crossing the river under the leadership of Joshua and, in two short campaigns, subduing the entire country and exterminating all the original inhabitants except the Gibeonites. Then the land is divided by lot among the nine and one-half tribes, two and one-half having already received their portions east of the Jordan. On its face this story seems improbable. How can a land, of irregular dimensions and varying fertility, be properly divided by lot among nine and one-half tribes, of unequal size and undoubtedly of varying habits, in such manner that each tribe shall not only feel a sense of perfect fairness in the allotment, but shall also receive a portion commensurate with its size and needs?

This doubt is corroborated by the evidence of the extra-Hexateuchal books. These state clearly that the Canaanites were not speedily nor completely conquered nor exterminated. Jerusalem withstood the attacks of Benjamin, and succumbed

at last only to the prowess of David and Judah, at least a century and a half after the entrance of the tribes into Canaan[1]. Gezer remained unconquered until the reign of Solomon[2]. And for at least a half century after the entrance of the tribes, the Canaanites continued to hold the greater and more fertile and desirable portion of the country, and were only gradually conquered and assimilated.

Furthermore abundant Biblical evidence establishes conclusively that originally there were many more tribes than the traditional twelve. We hear in this early period of Machir, Ya'ir, Gilead, Qain, Qenaz, Caleb and Yerachme'el. Egyptian monuments likewise seem to prove the presence in Canaan, a century or so before the advent of the main body of the tribes, of small nomad, or semi-nomad, tribes, called Israel[3], Jacob-el, Joseph-el and Asher[4], names of such prime importance in later national tradition, that we can not, in the light of early tribal history, but correlate these tribes with the large body of Israel. The actual condition of only twelve tribes did not obtain until David amalgamated a number of small, semi-nomad tribes in the south, among them Caleb, Qain, Qenaz and Yerachme'el, with Judah and made this the nucleus of the united kingdom.

Furthermore these same books prove conclusively that the tribes did not enter the land together under the leadership of one man, Joshua. Instead they entered separately, at different times and different places. Each tribe was absolutely independent of all other tribes, a separate ethnic unit, with little or no sense of relationship with the other tribes. Each proceeded independently, or, at most, in temporary league with one or two other tribes, to conquer a portion of the country for itself, and for many years could maintain itself there only with difficulty and varying success. And the relations between the tribes themselves during their first sojourn in the land were, quite

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[1] Jud. I, 8, 21; II Sam. V, 6-9; cf. Moore *op. cit.* 3-10.

[2] I Ki. IX, 16.

[3] Cf. the so-called "Israel-stele" of Mernephtah, in Breasted, *Ancient Records of Egypt*, III, 602f.

[4] Cf. W. Max Mueller, *Asien u. Europa nach altägyptischen Denkmälern*, 162ff.; 236ff.

as often as not, those of rivalry, and even open hostility, now and then momentarily checked in the presence of danger from the common enemy, Canaanites and Philistines, only, however, to flare forth again when the danger had passed.

But if, at the moment of entrance into Canaan, the tribes were thus totally unrelated, with no sense at all of common origin or community of interest; if each tribe was absolutely a separate and independent ethnic unit, it follows necessarily that there could, strictly speaking, have been no common, intertribal religion nor deity, that there must have been instead separate tribal religions and separate tribal deities, at least as many such separate deities as there were tribes. This *a priori*, yet altogether logical and necessary, conclusion is confirmed by abundant evidence. We know not only of separate tribal gods in this early period, but also that, with but one important exception, they were all represented by cult-objects. The ark at Shiloh, which was captured by the Philistines[1], was originally the cult-object of Ephraim; the *ephod* which Ebiathar brought down to David[2], and through which thereafter David consulted the oracle, was a cult-object of Benjamin; the idol of Micah, the Ephraimite, which the tribe of Dan stole, when compelled by the Philistines to abandon their old home on the Mediterranean coast and seek a new abode in the far north, became the tribal god and cult-object of Dan[3]; apparently the golden *ephod* which Gideon set up at Ophra[4], became the tribal cult-object of the new and larger Manasseh, which Gideon created by amalgamating with the original Manasseh the greatly decimated tribes of Machir and Ya'ir. In all likelihood the brazen serpent in the Temple, which Hezekiah at last felt compelled to destroy[5], was originally a tribal cult-object, though of what tribe it is impossible to say.

But while absolutely certain that, on entering Canaan, the tribes constituted separate ethnic units, and therefore had separate tribal gods and tribal religions, none the less, at least in the fundamentals of religion, they did have something positive and

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[1] I Sam. IV-VI.
[2] I Sam. XXI, 10; XXIII, 6.
[3] Jud. XVII-XVIII.
[4] Jud. VIII, 24-27.
[5] II Ki. XVIII, 4.

vital in common. For real religion is entirely the product of a people's daily life. Neither individual nor people can think beyond, at least not far beyond, daily needs and experiences. Especially is this true of primitive peoples, such as the tribes at that time were. Such a people, at best, conceives of its gods as those supernatural powers which are able to satisfy all its needs; and all worship will be directed to the one great aim of inducing or compelling these deities to so function that these needs will be surely satisfied. Therefore, if possible in a general way to determine the fundamental needs of any primitive people, it is equally possible in a general way to infer how it will conceive of its gods and how it will worship them. A people that has progressed no further than the hunting stage of civilization will have what might truly be called a hunting religion. It will conceive of its gods as those powers that increase the supply of game and give success in the chase. A nomad or pastoral people will have similarly a pastoral religion, an agricultural people an agricultural religion, and a commercial people a commercial religion. But as a commercial people comes into intimate contact with foreign peoples and becomes subject to foreign influences, its life necessarily becomes increasingly complex. And because we can no longer measure all the forces that influence this daily life, we can no longer determine deductively what a commercial people's religion must be. But until this stage the task is simple and comparatively easy.

It is also self-evident that as a people gradually passes from one stage of civilization to the next, the religious development must follow apace. A hunting people can not have an agricultural religion. But equally an agricultural people must have completely, or almost completely, outgrown its earlier hunting religion. If the transition from one stage of civilization to the next be normal and gradual, the religious evolution, too, will be slow and natural. But if the transition be rapid, and, in a certain sense, abnormal, it follows that the people must develop its new religion in a rapid, unnatural manner, borrowing largely from those foreign sources, contact with which has brought about the transition.

When the tribes forced their way into Canaan, they came from out the great Arabian desert to the east and south. There

they had lived, for decades and centuries, as typical nomads, practically the same life that the Beduin in the vast, unchangeable desert still live today. The sojourn in Egypt and the exodus under Moses were undoubtedly historical facts, but only in the life of some one single tribe, probably Judah[1], and certainly not in the life of all the tribes, and still less of the united people or nation. But whatever their actual historic reality, they left practically no impress upon the early life or fortunes of any of the tribes. Throughout their pre-Canaan, desert existence, the tribesmen had been typical Beduin, wandering about with flocks and herds in constant search of pasturage and water. Such a life is necessarily of the simplest. The civilization of any people may well be measured by its household, and particularly by its kitchen, equipment. And where the contents of the tent must be so limited, that at almost a moment's notice they can be readily packed, while the clan moves onward in search of new pasturage, it follows that the life itself, with all its needs, must be simple indeed. The needs of the Beduin might, then and now, be reduced to three; first, pasturage and water for sheep and cattle; second, offspring of sheep and cattle; and, finally, human offspring, that the race, or, more specifically, the family, clan and tribe, might not perish. In common with most primitive peoples, the Beduin feels that he himself can not satisfy these needs. But with these satisfied, he can easily shift for himself. Consequently he conceives of god or gods as those superhuman powers that produce human and animal offspring, and cause the scanty desert herbage to sprout, and the precious water to well forth. Just such a Beduin picture of the deity and of life and its origin, we have in the oldest version of the Paradise story[2]. And all Beduin worship will be directed, not towards giving thanks for blessings received, for thanksgiving is an advanced and quite spiritual conception, totally unknown to primitive man, but towards inducing or compelling these deities to continue these indispensable blessings.

[1] Cf. above p. 229.

[2] Gen. II, 7-9; 16-25; III, 1-7a; 8-18; 19aβ; 21-22a; 23; 24bβ; cf. Gunkel, *Genesis*[3] to II 9, 16 and III 16-19.

From all this it is clear that, although there were practically as many separate religions as there were tribes, and certainly at least as many gods, these separate tribal religions must have been very similar to one another, both in theology, if this term may be used for something so primitive, and in ritual. And although each tribe necessarily had its own tribal god and cult-object, none the less all these gods must have been conceived of as possessing much the same powers, discharging much the same functions, subject to much the same influences, and therefore to be worshipped in much the same manner. While, accordingly, we may not for one moment disregard this essential fact of the separate tribal gods and religions, we may nevertheless speak correctly of tribal religion in general, *i. e.*, the fundamental principles and rites of pastoral religion which all the tribes had in common. This necessarily contrasted strongly with the typically agricultural religion of the Canaanites, with which these tribes now came into intimate contact, and served as a certain mark of distinction from the Canaanites, and as a certain bond of union between the tribes. Out in the desert, where no other religious conceptions could obtain, this fact of common religious fundamentals could have no significance nor unifying force. But in the new land, with its strange, agricultural life and religion, the facts of common desert origin, common religious fundamentals, and common Canaanite enemy, must have served as powerful forces, making for ever closer tribal federation.

And as the tribes grew together into larger and ever fewer ethnic groups, the various tribal gods had of necessity to fuse correspondingly, largely just because they were the outgrowths of the same fundamental conceptions. And when, out of the many, separate, independent tribes, one nation did at last evolve, it follows that the separate tribal gods must finally have fused completely, until the conception of a national god, logically and necessarily, sprang into being.

But it must not be inferred that these gods were mere abstract, philosophic conceptions, the resultants and expressions of the tribesmen's daily needs, and that this gradual fusion proceeded in an abstract and philosophic manner. Each tribal

god was a highly concrete and individualized deity. The power of each extended only over his own particular territory and tribe, with all the members of which he was intimately related, either as the divine father, or through a covenant, established and frequently renewed by means of a peculiar covenant-sacrifice[1]. Of this sacrifice the tribesmen themselves ate the greater part. But a portion was also given to the deity, and was thought to be actually consumed by him. It is this covenant-sacrifice that later developed into the so-called "peace-offering." And since each tribal god was thus individualized, it follows in particular that each had his own individual name, that distinguished him from all other deities. Among the early Semites, as among almost all primitive peoples, the name is an indispensable part of the deity's being. Until his real name is known, so that prayers and sacrifices may be directed to him in person, it is absolutely impossible to worship him[2]. Hence the four different Biblical traditions of the revelation of the divine name[3] imply four different accounts of the moment and manner in which the worship of Jahwe actually began in Israel.

Unfortunately, however, few of the names of these original tribal deities have been preserved, so completely have the ancient tribal traditions been reworked to accord with the later national standpoint. We hear, almost accidentally, that in his covenant with Laban Jacob swears in the name of *Pachad Yitzchaq*[4], undoubtedly a deity, and presumably an ancient tribal deity. Possibly too, though by no means certainly, *Shaddai*, so frequently used as an appellative of the deity in the early part of the Priestly Code[5], was originally the name of a tribal god. However the only name of which we can be absolutely sure is *Jahwe*, undoubtedly originally the god of the Qenites. His worship passed over to the larger tribe of Judah,

[1] Cf. Robertson Smith, *The Religion of the Semites*[2], 269ff.

[2] Cf. my *Doctrine of Sin in the Babylonian Religion* (*Mitteilungen des vorderasiatischen Gesellschaft*, 1905, 3) 35ff.

[3] Gen. IV, 26; Ex. III, 1-15; VI, 3; XXXIV, 6.

[4] Gen. XXXI, 53.

[5] Gen. XVII, 1; XXVIII, 3; XXXV, 11; Ex. VI, 3; cf. Carpenter and Harford, *The Composition of the Hexateuch*, 54f.

when, under David, the Qenites were amalgamated with that tribe, or perhaps some time before this. And when at last the nation came into being under David, it was but natural that his own tribe, Judah, then the largest and most powerful of all the tribes, should exert the dominant influence in the development of the national principles and institutions. And while the consequent national religion was the result of the fusion of the various tribal religions, and the national god a composite picture, as it were, of the various tribal gods, still to this composite, national deity the god of Judah naturally contributed, not only the most numerous and distinctive features, but also the name Jahwe. The various names of the other tribal gods were speedily and purposely forgotten.

Just because this new national god was a composite picture of the separate tribal gods, and likewise was perhaps the most concrete possible expression of the supreme fact that out of the many separate tribes one nation had at last evolved, David, probably as the very master stroke of his diplomacy, planned a brand-new sanctuary to this brand-new deity in his brand-new capital. And as a further piece of diplomacy, he brought up the old ark of Ephraim from Kiriath-ye'arim, where it had lain, almost forgotten, for three-quarters of a century, and deposited it in his temporary sanctuary at Jersualem[1]. It showed concretely that the old tribal god of Ephraim was now one with the new national god of united Israel. And for the same reason he must have deposited in the sanctuary the *ephod* of Benjamin, and presumably, too, many of the cult-objects of the other tribes, among them, no doubt, the brazen serpent. But it was inevitable that these cult-objects undergo a complete transformation under the influence of the new national god and national religion. The brazen serpent, apparently alone, for some reason or other, continued to receive a certain measure of worship, necessitating its eventual destruction by Hezekiah. Most of the cult-objects seem to have speedily disappeared. The *ephod* of Benjamin was gradually transformed by tradition, until it became, in the Priestly Code, the *'Urim* and *Tummim* in the high-priest's breastplate, bound

[1] II Sam. VI.

by the *ephod* to the sacred garments[1]. And the ark of Ephraim, apparently the most important tribal cult-object, containing probably a sacred stone, or *betyl*, in which, according to a common primitive Semitic belief, the deity was thought to dwell[2], became in the new national tradition, the receptacle of the two tablets of the Decalog. But in accordance with the dominant Qenite, or Judahite, conception of the deity, Jahwe himself, the national god of Israel, was thereafter never to be represented more by idol or cult-object, was to develop from this point into the incorporeal, spiritual, universal god of the prophets.

But all this anticipates. Of the many tribal gods Jahwe alone do we know positively by name. But the name itself is most significant. Various etymologies have been suggested[3]. The one most generally accepted is that the name is a *hiphil* form of *hawa*, "to be," and means "he causes to be," or "to exist," in other words, designates Jahwe as the creator of life. And, as said before, just this was the natural Beduin conception of the deity. He was the creator, not of the earth, nor the whole universe, for these are far beyond the limited ken of the desert tribesman, but of life itself, the life of his own children and fellow-tribesmen, of his sheep and cattle, and of the plants and herbage from which these feed. He was thought to dwell upon a sacred mountain far out in the desert, and long after the tribes had fused together into the nation, he was still thought by some to yet dwell there. It was to this mountain that Elijah pilgrimed, when, in despair at the seeming hopelessness of his task, he felt the need of communing directly with Jahwe; and there, in the sacred cave on top of the mountain, he had his vision and heard Jahwe speaking in the still small voice[4].

But Jahwe was not the only original tribal god thus thought to dwell upon a sacred mountain in the desert. The Bible speaks of several sacred mountains and other spots out in the desert, which must have been originally seats of tribal gods and local tribal sanctuaries. In the later national traditions

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[1] Ex. XXVIII, 6-30.

[2] Cf. Robertson Smith, *The Religion of the Semites*[2], 200ff.

[3] Cf. Davidson, in Hastings, *Dictionary of the Bible*, II, 199.

[4] I Ki. XIX, 1-14.

these various sacred mountains, too, were all fused under the names of Sinai or Horeb. But these two, at least, must originally have been absolutely distinct peaks. Num. X, 33, a part of one of the oldest Hexateuchal codes[1], tells that the mountain of God was only a three days' journey from the Promised Land. According to Deut. I, 2, it was an eleven days' journey from Horeb to the Jordan opposite Jericho by way of Mt. Se'ir and Qadesh Barne'a. And according to Deut. XXXIII, 2; Jud. V, 4 and Hab. III, 3, Sinai was a peak in this very range of Mt. Se'ir. Certainly Qadesh, too, in the wilderness south of Judah, must have been originally, as the name implies, a sacred place. From this it can be seen how futile are the usual attempts to determine the exact location of Sinai, and to identify it with any one, single peak in the so-called Sinaitic peninsula.

This idea of the particular dwelling-place of a deity accords fully with the fundamental principles of early Semitic religion, and is amply corroborated by Biblical evidence. Genesis tells repeatedly that the patriarchs erected altars at places where they believed a deity had revealed himself[2]. These altars were erected, not to a general national or universal god, but, as is expressly stated repeatedly, to the particular deity who had appeared in that one single spot, and had thus signified that this was his own peculiar abode. Similarly, when David was driven by Saul to seek refuge among the Philistines, his chief complaint was that, away from his own land, he could no longer worship his own, native god, but must worship the gods of the new land[3]. And when Na'aman, the Syrian, had been cured by Elisha, and would in gratitude worship the god of Israel, he could do so only by taking with him to Damascus two a-s-loads of earth from the land of Israel, whereon, in the foreign land, he might erect a little shrine to the strange god[4]. The god and the land, or more correctly a certain spot of land, were in primitive Semitic religion inseparably associated[5].

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[1] Cf. my *Biblical Theophanies*, in *Zeitschrift fur Assyriologie* XXVIII (1913), 23f.

[2] Gen. XII, 7f.; XVI, 13; XXII, 4, 18; XXVI, 25.

[3] I Sam. XXVI, 19. [4] II Ki. V, 17.

[5] Cf. Robertson Smith, *Religion of the Semites*[2], 92ff.

Some of the tribes, it is clear, had the tradition that when they migrated from their desert abode, their god, too, forsook his home and marched with them, represented by, or contained in, the tribal cult-object, as for example, the ark of Ephraim. But the Qenite tradition, preserved in Ex. XXXIII and XXXIV, tells positively that Jahwe refused to forsake his holy mountain[1]. And long after the Qenites had taken up their semi-permanent residence in the wilderness south of Judah, the conception still prevailed in the minds of some, as the Elijah story shows, that Jahwe still dwelt upon his sacred mountain out in the desert. And thither, at their great, annual festival, the Qenites must have pilgrimed, to properly discharge their religious obligations in the very presence of their tribal god.

This great, annual festival was celebrated in early spring, when the sheep and cattle cast their young. The principle that a man is sole owner of all that he creates seems fundamental in all society. And since Jahwe, together with other tribal gods, was conceived of as the creator of the life of sheep and cattle, he must also have been looked upon as their original owner. All tribal cattle, and for that matter all human beings and all plant growth likewise, were regarded as his creatures, and hence as his peculiar property. That being the case, it followed that the cattle could not be used with impunity by men, were forbidden, taboo, holy, *qadosh*. And yet the Beduin in the desert must live chiefly from his sheep and cattle, or at least from their products of milk and wool. Therefore some way had to be found to set aside the original divine property right and remove the taboo, without, however, angering the deity. This same conception and this same problem exist for most primitive men in the pastoral and agricultural stages of civilization, and the same solution has been given by practically all, viz., the principle, that might well be called the law of the removal of taboo, that the sacrifice of a part, and especially the first and best part, removes the taboo upon the remainder, redeems it, to use the technical term, for common use. The application of this principle to desert life meant that the deity's original property

[1] Cf. my *Biblical Theophanies*, in *Zeitschrift für Assyriologie* XXV (1911), 171ff.

right to all cattle could be obviated only by the taboo-sacrifice of the firstlings of the cattle. These had to be given to the deity completely. In the earliest stages of religious evolution, these animals were merely killed at the sacred stone, the forerunner of the later altar, and their blood was smeared upon this, while their carcasses were left on the ground to be eaten by birds and beasts of prey[1]. Later, in more advanced civilization, the animal was burned completely upon the altar. And still later, except in special cases, only a portion of the animal, the *'azqarah*[2] or "symbol," was burned; the remainder became the food of the priests. But always under no condition might the sacrificer himself partake of his own taboo-sacrifice. This very logical prescription distinguished the taboo-sacrifice outwardly from the covenant-sacrifice. In time this taboo-sacrifice developed into the *'olah*, the *minchah*, the *chattath* and the *'asham* of the Priestly Code.

These firstlings seem to have been sacrificed regularly eight days after birth[3]. And since all sheep and cattle cast their young at almost the same time, these firstlings naturally could, and would, all be sacrificed together, and this occasion would constitute the most important, if not the sole festival of these pastoral tribes. In addition to these firstling sacrifices, the tribesmen participated in the sacred dance, the climax of the celebration, that gave to these festivals their common designation, *chag*, from *chagag*, "to dance," and to this particular festival its special name, *pesach*, from *pasach* also "to dance," apparently with a peculiar step or limping motion[4]. This festival was the forerunner of the later Passover, and these firstling sacrifices, of the later Paschal lamb.

But Jahwe and the other tribal gods were the creators, not only of animals, but of human life as well. Logically, therefore, we would expect that all human firstborn would be likewise offered as taboo-sacrifices. And there is ample evidence that the sacrifice of first-born children did play a prominent

[1] Cf. Wellhausen, *Reste des altarabischen Heidentums*[2], 116ff.

[2] Lev. II, 2, 9, 16; V, 12; VI, 8; XXIV, 7; Num. V, 26.

[3] Ex. XXII, 29.

[4] Cf. I Ki. XVIII, 26, and the adjective *pisseach*, "lame."

role in all early Semitic religion[1]. Our ancestors, too, originally sacrificed their firstborn children on the eighth day after birth, sure that only thereby could the favor of the deity be gained, and further offspring be ensured.

But as parental love gradually became stronger than fear of the deity, ways and means naturally were found to evade the original awful sacrifice. First-born males were instead often consecrated to lifelong service of the deity, became the first regular priests. Or perhaps a substitute sacrifice was offered, either some fitting animal, generally a lamb[2], or perhaps, as among the Carthaginians[3], a slave. Perhaps, too, after large shrines, with fixed bodies of priests and urgent needs for material upkeep, had arisen, a payment of money was accepted in lieu of the actual sacrifice of the child or of a substitute animal[4].

Or, finally, since actually all children were taboo, by a different, but equally natural, application of the same principle, that the sacrifice of a part of the tabooed object redeems the remainder, the custom arose of redeeming all males, at least, by sacrificing a part of the child to the deity, a part, naturally, that could be spared without maiming the child too greatly. This same custom exists among many primitive peoples, expressing itself in the ceremonies of knocking out teeth, cutting off the hair, or perhaps removing a joint of one of the fingers or toes. But the part most commonly sacrificed, probably partly because from the very organ whose function the ceremony was intended to further, was the foreskin. This, of course, is the origin of the very wide-spread custom of circumcision, at least as practiced by the Semites.

In time, when the real origin and significance of these various means of evading the actual first-born sacrifice were forgotten, it was not surprising that they should be duplicated, even consciously, that, for example, a people that practiced circumcision should also regularly redeem its first-born by the

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[1] Cf. Robertson Smith, *Religion of the Semites*[2], 464, who, however, somewhat misstates the matter.

[2] Cf. my *Doctrine of Sin in the Babylonian Religion* (*Mitteilungen der vorderasiatischen Gesellschaft*, 1905, 3), pp. 69ff.

[3] Diodorus Siculus, XX, 14. [4] Num. XVIII, 15f.

additional means of a substitute animal or the payment of redemption money.

Biblical evidence proves conclusively that, at different periods in their religious evolution, our ancestors practiced all these rites of sacrifice and redemption of first-born with the possible exception of the substitution of a slave. In all likelihood, when they entered Canaan they had partially, though by no means completely, outgrown the original sacrifice itself. Circumcision, too, was universally practiced by them, while, to a certain extent at least, the first-born was generally regarded as the natural family and clan, if not tribal, priest. And if not already before entrance into Canaan, then certainly very soon thereafter, the custom arose of substituting a lamb for the child. The oldest Biblical legislation[1] not only permitted, but actually commanded, this substitution, and thereby prohibited all human sacrifice. Such was the general conception, not only of Jahwe, but in a general way, of all original tribal gods, and such were the most important details of their original worship. It may, of course, be objected, that this description fits the god-conception and worship, not only of the Israelite tribes, but of all Semites in the pastoral stage of civilization. This is perfectly true. We know now that, in origin, the religion of Israel differed not one whit from common primitive Semitic religion; that it began as a purely pastoral Semitic cult and continued as such for a long time, during the entire period of desert life, and even during the first years of the sojourn in Palestine. And only through a long and gradual evolution, beginning with the establishment of the kingdom, with its consequent transformation of the life of the people, and the rise of prophecy, did it differentiate itself from other Semitic religions and become unique, the national religion of Israel, and eventually the world's great universal religion, our Judaism.

We must also consider briefly the social side of the pre-Canaan tribal life if we would rightly understand the subsequent national, economic, and religious development of Israel. Out in the desert there is absolutely no supreme authority. Within the clan or tribe every man is entirely the equal of every

[1] Ex. XXXIV, 19f.

one else. To the sheikh the members of the tribe generally resort for counsel, and to him they generally submit their disputes. But there is no power, other than that of common opinion, to compel the acceptance of his advice or decision. In war or upon the march a temporary leader, always a renowned warrior, is elected, who plans and leads in battle, determines the day's march and the halting-place at night. Beyond this, common opinion as to what is fundamentally just is the only powerful, all-compelling factor in regulating tribal social life. It has, however, led to the recognition of certain unwritten laws, chief of which is that of blood-revenge, but at the bottom of all of which, and in fact of all desert social life, lies the principle of fit, measured, and absolutely just compensation or retaliation, the practical expression of the universal principle of stern, uncompromising justice and personal equality[1].

And of this desert life, with its unrestricted liberty and equality, the true nomad is inordinately proud. The farmer, or *fellah*, seems worthy only of his contempt. As a rule, only gradually and with misgiving does he adopt the agricultural or semi-agricultural life, even with its many material advantages of ease and comfort and a fairly stable and varied food supply. With all its hardships and scanty and monotonous fare, the Beduin prefers his desert, with its assurance of complete personal liberty. Slavery, strictly-speaking, is practically unknown in the desert. Real, individual poverty, too, but rarely exists, for each individual or family has undisputed claim upon the rest of the clan or tribe for help or maintenance in need. Sexual morality, too, is upon a very high plane. Adultery and unchastity are almost unknown, and are punished by the severest penalties, generally death[2]. This is all the more striking, when contrasted with the standards and practices of sexual morality that obtained, for perfectly comprehensible reasons, among the agricultural Semites, as, for example, the Canaanites[3]. Parental and filial relations, too, are most carefully cherished in the desert. The father or grandfather, unless incapacitated by age, exercises supreme authority within the family or clan,

[1] Cf. Blunt, *Beduins of the Euphrates*, 392ff.; 408ff.

[2] *Op. cit.* 405ff.

[3] Cf. below, p. 281.

and is accorded unquestioning and punctilious obedience and reverence by all members, even though fully advanced to man's estate.

This pride in the life and virtues and unrestricted liberty and equality of the desert, this sense of sexual morality, parental and filial respect and affection, and of absolute justice and community of interest, characterize the Beduin for all time. We can trace these influences in Israelite life; surviving the far-reaching transformation from the pastoral, nomad existence of the desert to the agricultural life in Canaan; constituting, when coupled with the conception of the national god of Israel, who demands and delights in moral and ethical conduct, some of the most fundamental principles of prophetic religion and prophetic ethics, particularly in opposition to the altogether different and vastly lower ethical standards and practices of Canaanite and foreign religions, against which the prophets had constantly to combat; in consequence becoming conscious and fundamental principles of Judaism and Jewish ethics, and therefore surviving in us down to the present day, and throughout all these ages exerting a potent influence upon the evolution of our religion, and our religious and social psychology. The incidents of Uriah[1] and Naboth[2]; the purity of family life, and the intensity of parental and filial love and sense of duty; the inherent antipathy to, and practical restriction of slavery; the stern insistence upon absolute social justice, and the conception of the God of Israel as primarily a god of justice; the rise of prophecy in Israel, and its earnest, spontaneous championship of the poor and oppressed; the constant and uncompromising passion for freedom, liberty and equality, and impatience of all undemocratic government; all these principles that have ever distinguished Israel from all other peoples, and Judaism from all other religions, that have ever been present in our ancestors, and are imperatively present in us today, these principles of eternal truth and right and righteousness, are all, indirectly at least, largely the product of the desert life and origins of our ancestors. And Judaism can be rightly understood only when we have traced the life and history of our ancestors back, and

[1] I Sam. XI-XII. [2] I Ki. XXI.

in as great detail as possible, to their beginnings in the vast, mysterious desert of the East. Origins are by no means all of history; but they are an important part thereof, absolutely essential to full comprehension, and dare not be disregarded by the conscientious seeker after truth and knowledge.

V

Israel In Canaan

In contrast to their original desert home, Canaan must have seemed to the Israelite tribes indeed a "land flowing with milk and honey." Yet, like every other land, the topography and the corresponding productivity of the different parts vary considerably. The northern and central portions, Galilee and Samaria, and particularly the valley of Jezreel, the low-lying hills of Ephraim and Manasseh, and the Mediterranean coast-land, are very fertile. The tribes that settled here must almost immediately have given up their pastoral life for the easier existence of the farmer. But this necessitated a complete transformation of beliefs and habits. Residence in fixed and permanent abodes and the assurance of a stable and varied food-supply make powerfully for advance in civilization. And inasmuch as these tribes did not enter peacefully into an uninhabited land, since they had to conquer and dispossess the earlier inhabitants, who had, necessarily, already attained to this higher civilization, it follows that the agricultural tribes did not develop this civilization spontaneously and slowly, but borrowed it in its entirety from the Canaanites.

On the other hand the southern portion of Palestine, Judah, is comparatively rocky and sterile. The water supply is scanty, the mountains steep and rugged, and the soil, except in a few favored spots, greatly washed away by the heavy rains. To the south the country gradually merges into the desert. And the country east of the Jordan, although far more fertile and capable of cultivation, is still quite rugged, while proximity to the desert on the east lays the land constantly open to forays by marauding Beduin bands. In consequence the southern and eastern portions of Palestine have never been extensively cultivated.

Accordingly, the tribes that settled here continued to live as shepherds and cattle-raisers, and the old desert life and religious beliefs and practices continued, but little modified from their original form. The old desert Jahwe was still worshipped by the Qenites, and long after the national Jahwe was commonly believed to have taken up permanent residence in the Temple at Jerusalem, Elijah, the shepherd from east of the Jordan, the uncompromising champion of the old, desert, pastoral ideas and ideals of life and worship, still pilgrimed to the desert peak, where, as he persisted in believing, Jahwe still had his own particular abode.

However, the southern and eastern portions of the land could support only a comparatively limited population. Only a few of the tribes, and these apparently the smallest and weakest, settled here. The central and northern portions were the most attractive, and thither the larger tribes naturally forced their way. Their first great problem was to learn how to till the soil. Their only teachers could be the Canaanites, alongside of whom, in the more mountainous portions of the country, they speedily settled, after the first hostility of invasion had subsided. "What must we do to farm successfully?" they asked, and the Canaanites replied, "You must plow and sow and reap." "And is that all?" "No," was the answer, "if you would live in this land and be successful farmers, you must, of course, worship the gods to whom the land belongs, and who bestow its agricultural blessings." This was an irrefutable argument. Had the tribes objected, "We can never worship those gods; we already have our own ancestral, tribal gods," the Canaanites might have logically replied, "But they are all desert gods, who only create numerous sheep and cattle out in the desert. If we went to live there, we would worship them too. But here you must worship the gods of this land, and, of course, with their own peculiar rites with which we have always worshipped them. You may continue to worship your old tribal gods too, if you wish, but our gods, at least, you must worship." And it was absolutely true. Being farmers now, and in the land of these gods, the agricultural tribes had to have an agricultural religion, had to adopt completely the ritual of the gods of the land. They

could do nothing else. What were these gods, and how were they worshipped?

In agricultural life the imperative need is, of course, an abundant crop. A purely agricultural people raises only enough to satisfy its needs for the one year. If, for any reason, the crop fails, famine follows. All the rites of agricultural religion will therefore tend to compel the deities to so function that the annual crop will prove all-sufficient.

The primary factors in agricultural life may be reduced to three, first the soil, or the earth itself, conceived as the great mother, from whose capacious womb all life springs; second, the heaven above, the source of both rain and sunlight, so indispensable for plant life, that the heaven is generally conceived as the great father, and both rain and sun's rays are often represented as the fecundating principle, descending from Father Heaven, fertilizing Mother Earth[1], and making her bring forth the annual crop, the third factor in agricultural life, naturally conceived as the child of the great parent pair, and forming with them a true, indissoluble trinity. This conception of Mother Earth, and with it, implied at least, of Father Heaven, and of the crop, their Divine Child, is found among many, if not most, primitive, agricultural peoples. It seems to have been common to all Semitic agricultural peoples, although, of course, with many local variations[2].

Among the Canaanites Mother Earth was deified under the name of *Astart* or *Astarte*, identical with the Babylonian *Ishtar*. Father Heaven received the name, or, perhaps better, the title, *Ba'al*, "Lord" or "Husband," and the crop, the Divine Child, in a way a deity of rather passive function and subordinate rank, was called by the general name or title, *'Adon*, "Lord," the Greek Adonis, the parallel of the Babylonian Tammuz. And since the crop goes through an ever-recurring, annual cycle of sprouting, growth, ripening, harvesting and sowing,

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[1] Cf. Dieterich, *Mutter Erde*, 15 note 2; 42ff.; 92-100; Frazer, *The Golden Bough*[3], II, *The Magic Art and the Evolution of Kings*, II, 98ff., and the saying ascribed to R. Jehudah, *mitra' ba'ala' de 'ar'a' hu'*, "the rain is the husband of the earth" (*Bab. Ta'anith* 6b).

[2] Cf. Nöldeke, *Mutter Erde und Verwandtes bei den Semiten*, in *Archiv für Religionswissenschaft*, VIII (1905), 161-167.

the well-known myth early arose of the beautiful youth, Adonis, born in the spring, growing to ripe and flowering manhood, then suddenly cut down and buried in the earth, only, however, to rise again to new life the following spring, and thus, from year to year, going through this same cycle of birth, death and resurrection[1]. And since each year it was in a way the old, and yet, in fact, a new, Adonis that was born, the belief arose, that Adonis was always the first-born and only-begotten child of Mother Earth, Astarte or Ishtar, who in turn was, therefore, always a virgin until the birth of Adonis, and who, therefore, constantly after each birth must have either renewed her virginity or remained a virgin in spite of this birth, and thus was the eternally virgin-goddess, even while at the same time the great Mother and goddess of sexual love. And since, too, the new crop, the new Adonis, sprang from the seed of the old crop, the old Adonis, sown in the womb of Mother Earth, Adonis came in time, in certain local forms of the great myth, to be regarded, no longer as the child, but as the lover and consort of Astarte or Ishtar, and was therefore occasionally confused with Ba'al, the Father God himself.

It must, however, not be imagined that there was one great trinity for the entire land, for there was no one single Canaanite nation. The land was divided into many, small, independent city-states, each with its local Ba'al, Astarte and Adonis, just as each desert tribe had its own tribal god; and within each city-state there was at least one local shrine consecrated to the worship of its particular trinity. But just as with the pastoral tribes, so, too, the same conception lay at the bottom of the various local trinities, and all were worshipped in much the same manner. Hence, in a general sense, we may speak of Ba'al and Astarte and Adonis as the sum total of the common, characteristic features of the many local *B'alim*, *Ashtaroth* and *'Adonim*.

In a fertile land with fairly certain annual crops and numerous, conveniently situated shrines, the ritual must necessarily be far more elaborate than that of the simple, pastoral

[1] Cf. Frazer, *The Golden Bough*[3], V, *Adonis, Attis and Osiris*[3]; Baudissin, *Adonis und Esmun*; Vellay, *Le culte et les fêtes d'Adônis–Thammouz dans l'Orient antique.*

religion. The chief festivals would naturally fall at the critical periods of the agricultural year, in spring and fall. The first of these was the great, seven-day *mazzoth*-festival, at which the last grain of the old crop was eaten sacramentally, in the form of *mazzoth*, or unleavened bread, in order that none of the old crop, the old Adonis, might remain, when the new crop, the new Adonis, should be cut. Whatever of the old crop could not be eaten thus, had to be burned[1]. Then on the day following the close of this festival, when the old crop had been completely consumed, the people would repair to the fields and solemnly cut the first sheaf of barley, the first grain to ripen, and with this march in solemn procession to their local shrine and offer it up as the taboo-sacrifice of the barley, which thereafter they were free to eat.

But the same taboo extended over the successively ripening grains, the rye, oats and wheat. Before each could be used for profane purposes, the taboo had to be removed by the sacrifice of the first-fruits. Yet the harvest-time is too short, and every day too important, to permit of appropriate rites at the sacrifice of the first-fruits of each new kind of grain, particularly if every seventh day was a rest-day, a Sabbath, upon which all work was taboo[2]. Accordingly each first sheaf was put aside, to be sacrificed later at the close of the entire grain-harvest. By thus symbolizing the actual taboo-sacrifice, the people felt free to eat at once of each new grain. And finally, at the end of approximately seven weeks, the usual duration of the grain-harvest, these various first sheaves were brought to the local sanctuaries with solemn procession, and the joyful festival of the first-fruits was celebrated.

And then, at the close of the entire agricultural year, when the grain had been threshed and stored away, the fruit and olives gathered, and the wine and oil pressed out, just before the beginning of the rainy season, the festival of ingathering, most important of all, the *chag* par excellence, was celebrated for seven days. And on the following day, the eighth, the new

[1] Cf. Frazer, *The Golden Bough*[3], VII, *The Spirits of the Corn and the Wild*, II, 72ff.

[2] Ex. XXXIV, 21.

year was ushered in with appropriate rites and ceremonies of purification and rejoicing.

But these festivals were far less occasions for the sacrifice of first-fruits, than for the celebration of important rites by the whole people. No sooner was the old crop harvested than the people began to look forward with anxious hope to the next crop. Or to express this in religious language, Adonis was dead; would he be restored to life, that the people too might live? Much of the ritual of these great festivals centered about the thought of the death and longed-for resurrection of Adonis. The festivals began with a period of fasting, mourning and bewailing the dead god, which gradually changed to a condition of joy, ecstasy and frenzy at the thought of his resurrection, culminating in wild dances of the maidens in the vineyards on the last day or night of the festival[1]. There were also various so-called homeopathic, magical ceremonies, ritual acts, observed by practically all primitive peoples, which rest upon the premise that like always causes like, that a desired event in nature can be brought about by simulating it in solemn and detailed ritual[2]. Thus in time of drought the sprinkling of water from aloft, say by some one perched on a high tree, resembles the falling of the rain from heaven. And the belief was world-wide, that the proper performance of some such ceremony would invariably cause the rain to fall. Ceremonies like this were common among the Canaanites. Best known perhaps was that of the gardens of Adonis[3]. Quickly ripening plants were sown in richly fertilized soil in flower-pots, just before the beginning of these festivals, were well watered and kept in the rays of the sun, so that they sprouted rapidly during the first days of the festival, only, however to wither equally rapidly. The sprouting of the plants resembled, and was thought to actually compel, the sprouting of the grain, the rebirth or resurrection of the dead Adonis. References to this ceremony, as known to, and undoubtedly practiced in ancient Israel, are found in the Bible[4].

[1] Cf. Judges XXI, 17-23; *Mishnah Ta'anith* IV, 8.

[2] Cf. Frazer, *The Golden Bough*[3], I, *The Magic Art and the Evolution of Kings*, I, 55ff.

[3] Cf. Frazer, *The Golden Bough*[3], V, *Adonis, Attis and Osiris*[3], I, 194ff.

[4] Is. XVII, 10f. (cf. Duhm to the passage), and possibly I, 29.

But since Adonis was regarded as the only-begotten child of Ba'al and Astarte, the offspring of their marriage union, the most natural homeopathic, magical ceremony would be to simulate this union in actual ritual. Among the Babylonians, at the great annual new year festival, the marriage of the gods was appropriately celebrated[1]. Among the Canaanites, the emphasis seems to have been laid rather upon the act of sexual union. The dances of the maidens in the vineyards were merely preliminary to their being seized and carried off by the young men of the village. Yet this was, in origin at least, no mere unbridled lust, but a religious rite, that touched upon the fundamental problem of the maintenance of life. And the ceremony, too, seems to have constituted originally the essential, if not the sole, marriage rite. The stories of the Benjaminites and the maidens of Shiloh[2], and of the dances of the maidens of Jerusalem in the vineyards on the 15th of Ab and Yom Kippur[3] record late survivals of the original homeopathic, magical ceremony.

But in time, in practically all Semitic agricultural religions, this ceremony of sacred prostitution came to be performed by specific classes of priests and priestesses, the *qedeshim* and *qedeshoth*[4]. It was a peculiar ceremony indeed, and necessarily led to ever-increasing licentiousness. It was outwardly probably the most characteristic Canaanite rite, and distinguished Canaanite religion most pointedly, externally at least, from the simple, pastoral religion of the desert tribes, with their high standard of sexual morality. We can, therefore, appreciate the scathing denunciations by the prophets of this rite, and with it of all the many Canaanite elements, that now began to enter into the religion of Israel[5].

For, as we have seen, almost immediately after entrance into Canaan, the agricultural tribes in the center and north of necessity adopted the worship of Ba'al and Astarte and Adonis,

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[1] Cf. Frazer, *The Golden Bough*[3], II, *The Magic Art and the Evolution of Kings*, II, 25 and note, 130.

[2] Jud. XXI, 17-23.

[3] *Mishnah Ta'anith*, IV, 8.

[4] Cf. Movers, *Die Phönizier*, I, 678ff.

[5] In particular Hosea, Jeremiah and Ezekiel.

and began to frequent the many local shrines and participate in all the festivals and rites on equal terms with the Canaanites. Not that the worship of the tribal gods was immediately discarded. As long as tribal distinctions continued to obtain, the survival of the old desert conditions, that long, too, the old tribal gods had to survive. And to a certain extent too, we can notice a gradual fusion of the old, pastoral religion with the new agricultural religion. Typical of this is the Biblical Passover, the outgrowth of the grafting of the old, pastoral *pesach* upon the agricultural *mazzoth*-festival[1]. The fact that these two festivals came at practically the same moment of the year made this fusion inevitable.

But in all this process, the new agricultural religion had to dominate. It was the more complex, elaborate and attractive; it was the religion of the shrines and the land; and, above all, it alone was the direct outgrowth of the daily life, and satisfied the fundamental needs, of the now agricultural people. The desert life and the shepherd religion were completely outgrown. The old tribal gods were daily becoming, more and more, half-forgotten names and empty symbols of original tribal distinctions; and they and their worship threatened to disappear completely before the steadily increasing worship of Ba'al and Astarte and Adonis.

Such now became the religion and religious practices of the agricultural tribes in the central and northern portions of the land. In the south and east, however, as we have seen, the old, desert, shepherd life and religion continued with but little modification. And this fact alone constituted an ever-widening breach between the two groups of agricultural and pastoral tribes. But not only in religion did this breach speedily spring up. The life of the farmer differs in every way from that of the shepherd. The farmer occupies a fixed abode, has a fixed place of worship, lives in intimate communion with fellow-men. All this makes for comparatively rapid social and cultural progress. The shepherd, on the contrary, stands practically still culturally. Day by day this disparity in civilization and culture increased, and very quickly the agricultural tribes

[1] Cf. Wellhausen, *Prolegomena zur Geschichte Israels*[6], 84f.

came to look down upon the pastoral tribes as inferiors, deserving only of pity and contempt. Moreover the pastoral tribes were almost completely cut off from their wealthier and more cultured, agricultural neighbors. The Jordan river and valley are not easily crossed, except in very few places. And along the northern border of Judah, the northernmost limit of the pastoral tribes in the south, an extensive stretch of land, from Jerusalem on the east to Gezer on the west, remained Canaanite territory until the time of David. All highroads from the south to the north passed either through Jerusalem or the Canaanite country to the west. Free communication between south and north was therefore impossible. David's first act as king over United Israel was the capture of Jerusalem[1], just to ensure a united kingdom in fact as well as in name.

This breach between the agricultural and pastoral tribes was many-sided and unbridgeable. They stood too far apart religiously, economically and socially. The feeling of superiority and contempt of the agricultural tribes was matched by a corresponding feeling of resentment and distrust among the pastoral tribes. Complete and permanent fusion of the two groups was impossible. David did, in the face of the great common Philistine danger, effect a certain union; and he and Solomon by virtue of their strong personalities and constant watchfulness and preparedness, could, although with difficulty and despite numerous attempts at revolution, hold the two peoples together. The moment the weakling, Rehobe'am, came to the throne, the nation dissolved into the northern and southern kingdoms, the old natural divisions of agricultural and pastoral tribes. The eastern pastoral tribes, cut off altogether from the south, had perforce to attach themselves, though rather loosely, to the northern kingdom.

And in religion, too, the breach was incurable. The northern tribes had to have an agricultural religion, regardless of whither this might tend. But to the pastoral tribes this could seem only disloyalty to the old, ancestral gods and traditions. Almost coincident with the settlement of the tribes in the land, the conflict began between the old, pastoral, and the new, agricultural

[1] II Sam. V, 6-9.

religions, the old Jahwe, and the new Ba'al worship. The latter flourished in the center and north. The pastoral tribes, particularly in the south, continued ever the stronghold of the old religion and the old shepherd ideas and ideals of life and virtue. It can now be easily understood, why the first great prophets, outwardly the champions of the old order, both religious and social, sprang from out the shepherd tribes, Elijah from east of the Jordan, Amos from Tekoah in Judah, the Rechabites from the same environment. This combat between Jahwe worship and Ba'al worship, that began now and continued in one form or other until the Babylonian exile, furnishes the key to the religious history of Israel. Judaism is not the mere continuation of a triumphant desert religion. This could not triumph; it had to succumb, because the desert life had to be outgrown. But it was out of this conflict that Judaism, the universal religion, at last was born. And we can understand the history of Judaism correctly only by knowing and rightly appreciating these two great forces and all the details of the struggle.

VI

Conclusion

Here we must pause. Our subject might have been treated with far greater detail and elaboration of evidence, had time permitted. But enough has been said to clearly present, even though, of necessity, in brief and summary manner, a modern, scientific interpretation of the beginning of Israel's history from a positive and constructive Jewish standpoint. It is, in a sense, a two-fold history. It involves, first, the detailed and systematic investigation of Israel's national, social, and economic evolution, from its origin in a heterogeneous group of previously unrelated, desert tribes, forcing their way, one by one, into a new and attractive land, settling down, for the most part, to agricultural life, only slowly gaining complete control of the country in the face of Canaanite and Philistine opposition; but just because of this long and desperate struggle for existence, developing a sense of community of interest, relationship and federation, which culminated in the establishment of

the united kingdom. This, however, was an abnormal condition, and could be only temporary. Thereafter we can follow the fortunes of the two separate kingdoms politically and economically, noting the gradual transformation induced by the attainment of the commercial stage of civilization, can see the attendant festering, polluting, foreign influences at work, until at last both northern and southern kingdoms succumb, less to conquest by powerful foreign nations, than to internal, political and economic stagnation and decay.

And in the second place, ours is a study of Israel's religious evolution. Not that this can be separated from its political, economic and social life, for all go hand in hand, constantly react upon each other, and are incomprehensible, the one without the other. Yet we can isolate the religious evolution to a certain extent and follow it out by itself. We can trace this evolution from its origin in primitive, pastoral, tribal religion, with its different tribal gods and simple, pastoral ritual; we can see this pastoral religion coming in contact with the agricultural, Canaanite religion, and their great, centuries-long, life and death struggle immediately beginning. We can follow out the successive steps by which the original tribal gods fused into one national god, and Jahwe, originally god of only one small tribe and lord of a single, desert, mountain peak, came at last to be regarded as supreme lord of the entire land and nation, with earthly residence in the Temple at Jerusalem, yet gradually conceived of as too spiritual and transcendental for earthly abode and earthly limitations and attributes. We can trace, too, step by step, the rise and growth, during this and the succeeding periods of its history, of the many characteristic and unique institutions of Israel, of the national consciousness, national traditions and literature; of the national, civil and religious law; of prophecy, with its rapidly expanding message; we can see the struggle between Ba'al and Jahwe worship becoming concrete and acute, largely under, and in opposition to, foreign influence, in the days from Elijah to the Babylonian exile; the gradual ascendency of the priesthood over the prophets during and after the exile; the unique, at first only half-comprehended, conception of Jahwe, as no longer merely a national

God, but now the universal God of all mankind, and Israel the messenger of His truth to all the world. We can perceive momentary revivals of a decadent, and somewhat speculative and predictive prophetism in apocalyptic literature, while, on the other hand, priestly power and priestly law and theology continue to develop, until at last, immediately upon the close of the Pentateuchal canon, the evolution of the oral law begins. Here commences the task of the post-Biblical historian.

All this, however, merely foreshadows the possibilities of presentation, from the standpoint of Biblical Science, of the history of Israel during the entire Biblical period. It is a large subject, and can, in consequence, only be anticipated in this paper. It is impossible to give here more than the merest outline of the leading forces and tendencies in the evolution of Israel in the earliest, formative period of its history, antedating the establishment of the kingdom. And in this entire period, it must be borne in mind, Israel was no more than a gradually federating group of typically Semitic tribes. Only in the period following the establishment of the kingdom, when, to combat the increasing and corrupting, foreign influences, prophecy arose, with its distinct and peculiar message, did all that was significant and unique in Israel's history and in Israel's contribution to human knowledge, religion and civilization, begin to manifest itself. This paper could, of course, no more than merely hint at this later evolution, and outline the earliest causes that tended to bring it about. As the title indicates, the paper aims merely to establish, as clearly as limited time and space will permit, the foundations, or better, some of the foundations, ethnic, political, psychological and spiritual, upon which the later historical evolution rested, and the point from which this evolution proceeded. The continuation of the work must follow at some other time and place. But from this presentation of the foundations, the able and sympathetic student may anticipate somewhat the subsequent course of evolution of Israel's real history.

It is an interesting and altogether constructive study. It may lead far from the beaten course of the traditional interpretation of Jewish history, into untrodden fields, new and strange,

and to some, perhaps, ominous of evil. But we need have no fear. Day by day this sober, positive, constructive attitude toward our Jewish history is gaining ground. And the time must come when the history of our religion will be thus understood by all our thinking men and women. They will have full and reverent appreciation of our ancient traditions too, for these illustrate and interpret our history, were, in fact, so written by the early prophetic writers of the Torah and the historical books; they breathe the eternal spirit of our Judaism, and are a priceless part of our sacred, spiritual heritage. But men will know full well how to distinguish between, and correctly evaluate, the merely traditional and the historically true, will know how Judaism came to be and the whole course of its subsequent history; and knowing all this, they will know what Judaism is, and will revere and practice it intelligently and with conviction and passion. Truth and knowledge can not be destructive of any religion nor of genuine faith; they must be the touchstones that separate the real and the eternal from the false and evanescent; they alone can be the firm foundation, upon which may rest the living, universal religion, which we hope and believe and labor that our Judaism may be.

Rabbi Heller—I gladly acknowledge the ability with which the subject has been treated. Yet I feel it necessary to state my own position with regard to the material presented and the method of presentation. I am sure that other members of the Conference will feel the same necessity, in order to save the Conference from all possibility of being understood as supporting, or agreeing with, the views presented in the paper. I believe, in the first place, that a better title would have been, "The Rise of the Jewish Religion." Furthermore, I claim that the treatment was one-sided, in that the writer sought to explain the rise of the Jewish religion entirely from environment, from outward conditions, and not at all from soul. True, he spoke of political and social, as well as of geographical forces; but these are all external, belong to environment. He did not at all take into account the racial instinct of the Jew as the basis of the uniqueness of Judaism. The paper seems to say that all religions,

and Judaism as well, are the result of the temporary occupations of peoples and their contact with other nationalities, and that there was nothing in Judaism that distinguished it from any other religion, that it only gradually unfolded into something. To my mind, to account truly for the rise of Judaism, due account must be taken of racial facts.

Rabbi Rosenau—I am glad of the opportunity to discuss this paper. It dealt with its subject in a very exhaustive manner. But I ask, "What is its purpose?" I trust that I answer correctly, that its purpose is, apparently, merely to inform this Conference of the position and conclusions of higher criticism in regard to Biblical history. But I must emphasize the fact, that what the author presents as the result of careful study, and as shared by the most prominent Biblical critics, is not actually so. There is very much difference of opinion among Biblical scholars, and many, after more mature consideration, have rejected these conclusions of higher criticism. I believe it necessary to warn the Conference against the arguments and exposition of this paper. It contains much that is opposed to the traditions of Israel with regard to the Torah and Haftarah. And by maintaining silence at this moment, the Conference may seem to endorse these views, and so lay itself open to criticism. I hope that we will regard this paper and the matter it presents merely as objective information, and not countenance it ourselves in any way, and thus incur the danger of its forcing its way into our religious schools. We must still regard the Torah and the religious institutions of Israel as sacred.

Rabbi Schulman—The paper just read presented an admirable survey, a comprehensive group of facts. It likewise exhibited a method of scientific investigation which is distinctly useful. We need not keep all this information strictly to ourselves; we may also let it go forth into the world, even though we do not subscribe fully to its underlying philosophy. Personally I would not question the title of the paper, "The Foundations of Jewish History." But I would emphasize the fact that the paper has treated rather of subsoil than foundations.

For the foundation is that visible substructure upon which the unique and distinctive edifice is erected; and the foundation has in itself something of the uniqueness of the entire building. The paper, I say, treated of the subsoil; of conditions common to all Semitic peoples and religions. But since Israel's very foundation was unique, the title is actually rather misleading. The paper, moreover, treated of history entirely from the standpoint of sociology, and not at all from that of psychology. The soil and the air are factors in history, insofar as they act upon the sensitive soul. But it is in this last that the history of Israel had its beginning, and upon this rests its unique foundation. The presentation of the foundations of Israel's history must begin with revelation. I believe that there was at the commencement of Israel's history, a great, creative genius, a moving transforming power, which lifted the people out of the common Semitic subsoil and laid the foundations of their history. If men, like Royce, hold that Jewish history is inexplicable without a man like Moses at its beginning, it bids us stop and think seriously. Why did no other people produce an Amos, a Hosea, an Isaiah? I am not a traditionalist; but I hold that the theory of Biblical Criticism is outgrown, because it does not present the whole truth. The paper failed to record the unique element in Jewish history; hence my criticism of it.

Rabbi L. Grossmann—It is very interesting to hear men, who in their fields of thought and work generally object to, or question the fact of, uniqueness in Jewish history or in the Jewish religion, suddenly taking refuge in it, now when old, traditional doctrines are affected. Because of the feeling that the material and argument presented by the paper contravene favorite traditions, this usually decried theory of the psychological separateness and uniqueness of the Jew is suddenly hauled forth. I believe that the author of the paper has presented a theory of the evolution of historical forces and conditions, which we can not contradict, and which we dare not summarily deny. We take refuge in it ourselves when we deal with the history of mediaeval and modern Judaism. But when traditions about the Bible and Biblical doctrines are questioned, we immediately

become traditionalists, and take refuge in the principle of psychological uniqueness. Yet the principle is without foundation. Nothing is so composite as psychology. Analysis shows many forces at work, and many influences contributing. And by presenting this view in relation to our Jewish history, particularly its beginnings, we are in no wise committing heresy.

Rabbi Landman—I wish to ask one question: "What attitude should we assume in discussing the Bible in our Bible classes, with college men and women, conscious of contradictions and difficulties in the Biblical narratives, knowing something too, or having heard something, of Biblical Criticism, and who are eager for correct knowledge?" I feel that the paper has clarified matters considerably. But I ask, what should we give to these young people?

Rabbi Philipson—We have listened to a very scholarly paper, as all have agreed. I understand fully the position of the gentlemen who take exception, however, to the paper. I take exception on the same ground. At the same time we must remember that the paper is entitled, "The Foundations of Israel's History." It is rather hard to distinguish between Israel's history and Israel's religion, and to keep constantly in mind that Israel's religion is unique. There are the same myths and beliefs and ceremonies, as existed among other Semitic peoples. Yet, just as Shakespeare borrowed most of his plots, but breathed into them his own spirit and thus made them distinctively Shakespeare, so Israel, we can afford to recognize, did have much in common with other Semitic peoples, and did even borrow from other peoples; but into everything it breathed its own spirit, and thus made it all distinctive, unique, Jewish. This fact, we, as teachers of Judaism, must constantly bring out.

Answering Rabbi Landman, I would say that we should be perfectly frank and honest with our young people. But at the same time we must never forget that it is our business to do constructive, and not destructive, work. Biblical critics have called attention to contradictions; thereby they have helped to

make more clear the evolution of our modern Judaism. Yet we must not stop with that alone, but must endeavor to make these young people feel the deeper significance of these teachings, and the fullness of the spirit of Judaism, and thus help them to build spiritually.

Professor Buttenwieser—First of all, I wish to say that the paper, just presented to us, is one of thorough scholarship. I listened to it with keen interest and great profit. If, nevertheless, I agree with the previous speakers in their exception to the paper, it is only because their and my exception reduces itself to a difference of schools. There are two schools of historians. The one regards environment as the paramount factor in historic evolution. It bases itself upon this principle in reconstructing those periods of history, about which we lack primary or direct sources entirely, and must therefore rely altogether upon secondary or indirect sources. The other school holds that all progress in history proceeds from great personalities. Dr. Morgenstern evidently belongs to the first school. I acknowledge allegiance to the other. Accordingly, I hold that the explanation of the religious evolution of Israel requires the assumption of a great personality at the beginning of its development, even as it does for the unique course of its subsequent evolution. Therefore I agree completely with Smend, that, if our records had preserved no knowledge of Moses, we would have to postulate a Moses. And when we admit the historicalness of Moses, we must also admit that the event with which he is inseparably associated, is likewise historical. Not the formation of the kingdom in the days of David, therefore, constitutes the beginning of Israel as a nation, but the deliverance from Egypt marks the birth of both the nation and the religion of Israel.

Of course, not all the Hebrew tribes of the Sinai peninsula had entered Egypt and were there enslaved, but only some. These, after their deliverance, rejoined the tribes that had remained behind. This deliverance was the great event calling for an interpretation. And the man, who, by virtue of his personal genius, gave the required interpretation, was Moses. About his God-idea and his religious views in general, we know

nothing positive, as we have no documents of his own times, nor of the period immediately following. We may, however, be sure, that Moses had, as yet, not advanced to the conception of a universal god, and still less, to anything even remotely approaching the ethical monotheism of literary prophecy. All we can say about his religious work is that he must have united the Hebrew tribes under the one, common belief that Jahwe was the sole god of Israel. This conclusion, to my mind, is inevitable, because the Canaanitish environment leaves no room for the rise of such a belief. Proof that this belief must have originated in the desert is furnished by the song of Deborah. This is the oldest document of Biblical literature and history, and is generally thought to date from Deborah's own day. It shows clearly that it was their common belief in Jahwe as their national god that inspired the politically separate tribes to unite under the leadership of Deborah, in order to fight for their common cause, the cause of Jahwe.

In conclusion let me say again that this difference of viewpoint must not be understood as implying any criticism whatever of the scientific character and value of the paper, by which our knowledge of the most obscure period of Israel's history has been greatly enriched.

Rabbi F. Levy—I can not but feel that the interpretation of the facts of Israel's history, as presented by the paper, is altogether mechanical. The psychological point of view the paper has ignored completely. I believe the new school of criticism, as exemplified by Gressmann and Gunkel, is adopting that view. In other fields of history it has long been known. Greek history was at one time explained just as the paper tries to explain the foundations of Israel's history. But we know now that behind these external facts, there is the psychology of the Greek people, expressing itself in myths and folk lore. The stories of the Minotaur and the Labyrinth, and many other stories, are not mere myths; they deal with actual historical characters and have a definite historical background. But these stories have been so enlarged by tradition, that we must peel off the shell to get at the real historical kernel. The same

thing must be done for the history of Israel. The paper left the greatest fact in Israel's history out of consideration, viz., the departure from Egypt. Even if we have no documentary evidence in Egypt and Assyria of the historical correctness of the tradition of the exodus, and I question that, still I believe we have sufficient indirect evidence to warrant our accepting the tradition as absolutely historical. The very fact that Israel interpreted its origin and all its history from the standpoint of the exodus is the best proof of this. No people could make such a grave mistake, as to confuse its account of the beginning of its history with an event that did not actually occur. Furthermore the question of origins is not everything in history, no more than in biology. All vertebrates have similar origin. Yet they developed differently because of the unique germ within them at the beginning. So, too, with nations. In their beginnings they may have something in common with other nations. But the individuality inherent in them from the beginning, and which can be understood only from the standpoint of psychology, determines their individual development, and the evolution of all their unique characteristics. All this the paper failed to consider.

Rabbi Stolz—This paper is intended, I suppose, to offer material to be taught to children in the religious schools. Our religious school instruction should inspire teachers and children with love for the people of Israel and its religion. I can not possibly conceive how such can be the result of this teaching. It takes away from Judaism all its uniqueness, and thus plays directly into the hands of the anti-Semites. Instead of accounting for the distinctive facts in Jewish history, this paper merely mystifies. We must inspire our teachers with love for our religion, so that they can, in turn, impart this to the children, and make them proud of their history and proud of their religion, and eager to practice it. And such would certainly not be the effect of this kind of teaching.

Rabbi D. Lefkowitz—I find myself in heartiest accord with the facts and method of investigation of the paper. John Bur-

roughs, in a recent article, speaks of the necessity of scientific faith, faith that the scientist must have in those who preceded him and in his own investigations, that will enable him to follow them out to their furthest logical conclusions. However, this is a rare quality. He shows how Wallace followed Darwin to a certain point, and then failed, and how Darwin and Haeckel, too, faltered after reaching a certain point. Scientific faith is necessary for us, too, as teachers of religion, and we must be willing to follow its lead, no matter whither this may tend, after we take the precaution of testing each step of progress. It is difficult to analyze all the factors that determine the psychology of an individual, and infinitely more difficult to analyze those that determine the psychology of a nation. Yet I believe, were we able to do this adequately, we would find these factors to have been much the same as have been set forth in the paper, and these would sufficiently account for the eventual uniqueness of Judaism.

Rabbi Blau—This has been called the age of the rediscovery of the soul. There ought to be just such a movement in Jewish life. And because the paper of this morning did not exhibit the least trace of this rediscovery of the Jewish soul, many of us feel that we can not accept its altogether too radical conclusions.

Rabbi Morgenstern—It is difficult, indeed, for any audience to fully comprehend, from one reading, a paper, as lengthy and detailed as that which I have had the honor of presenting. Such a paper must necessarily be studied carefully to be rightly understood and authoritatively discussed. It is equally difficult to adequately sum up and reply off hand to all the discussion of the paper in the short time at my disposal.

I have listened carefully to the various objections and fears that have been expressed. And I can not but feel that the majority of the speakers, carried away largely by zeal for tradition and the traditional interpretation of Jewish history, and the consequent fear of being, or seeming, too radical, have failed to appreciate the true nature and purpose of the paper, or to fully understand the import of the many facts presented. Only

one of the critics has ventured to discuss these facts. Otherwise the criticisms have been altogether of the method of approach to, and treatment of, the subject. Summed up, they seem to assert that I presented the history of Israel from the standpoint of geographical influence, ethnic origins, political environment, foreign contact, and external cultural forces, but that I failed altogether to treat it from the standpoint of Jewish racial individuality, Jewish psychology and the Jewish soul, as the primary factors in the determination of all that was, and is, unique in Judaism and Jewish history; that, in fact, the paper showed no appreciation at all of this uniqueness of Judaism; that, furthermore, I left the great fact of revelation out of consideration in my scheme of Jewish history; and, finally, that I denied, or seemed to deny, the historicalness of the exodus from Egypt; and that, all in all, the treatment was mechanical and destructive rather than, as, frankly, I had hoped, constructive and inspiring.

Jewish psychology and Jewish racial individuality and the Jewish soul and Jewish uniqueness, are all high-sounding terms, of which we hear much nowadays. But the exact, or even approximate, meaning of most of these terms is hard to define. I believe I do know something of the uniqueness of Judaism and of its contribution to the world's knowledge and religion and culture. And so strong is my sense of this uniqueness, and so complete my pride therein, that it never occurred to me that I must assure you in the paper, more than I have done, of my full appreciation thereof. To the idea of the Jewish soul, too, I believe I am responsive, though just what it is, I, for one, can not state in words. Nor had I the least intimation that it had been lost, and that it was my particular task in this paper to rediscover it for some of my critics. At least, in the introduction to this paper, which, however, you must read for yourselves, I do insist upon the need of interpreting our Jewish history from the standpoint of Jewish consciousness; and this, I imagine, is somewhat akin to the Jewish soul. No doubt, too, there has been evolved through the ages a distinct Jewish psychology, although I have not heard that an authoritative, scientific presentation thereof has as yet been made, nor, in

fact, that scholars and rabbis are at all agreed as to even its fundamental characteristics. Still I had thought that the paper did manifest some appreciation of Jewish psychology, when it endeavored to show that certain characteristic Jewish virtues and habits of thought, such as eternal, uncompromising insistence upon the principle of absolute justice, purity of home life and of parental and filial relations, high standards of sexual and social morality, inherent sense of democracy and antagonism to slavery, were all rooted in the desert life, thought and ethics of our earliest ancestors; and, as I implied, have persisted through all Jewish history, even under the most antagonistic foreign influences; they were fostered and developed by the prophets as fundamental principles of Jewish life and Jewish religion, until they have become a part of Jewish psychology, expressing itself still in us today and in our children tomorrow, and constituting some of the basic principles of life and ethics and religion for which Judaism stands, and which represent its unique contribution to civilization. This, I believe, is a psychological interpretation of history, and shows some appreciation of Jewish psychology and the Jewish soul and Jewish uniqueness. Of Jewish racial individuality I can say little, for, frankly, I do not understand exactly what the term, as used this morning, was intended to connote. I take it though, that it implied something akin to Jewish psychology and the Jewish soul and Jewish uniqueness.

But while I have actually not been quite as silent about these matters as my critics have mistakenly thought and claimed, none the less it is true that I did not, and could not, say much directly about them, at least not as much as my critics seem to have wished. What I did say was, in the main, rather by way of implication. The reason is or should have been, obvious. There could have been no genuine Jewish psychology nor Jewish soul nor Jewish uniqueness, nor even Jewish racial individuality, until the Jewish people, as a distinct and unique people and religion, had evolved and differentiated itself from its common Semitic ancestry and environment. This it eventually did; but, as the paper repeatedly stated, and constantly implied, this was not until after the establishment of the monarchy by

David and the rise of prophecy in Israel. And, as the title, "The Foundations of Israel's History" implied, the paper dealt only with the pre-Davidic period of Israel's history, the formative period, in which the nation and the religion were just beginning to evolve from their Semitic origin and environment and assert their Jewish uniqueness and Jewish individuality, and develop a real Jewish psychology and Jewish soul. For this reason, and also because necessary limitations of space and time forbade carrying the work further into the monarchic period, the paper aimed only to present, concisely but clearly, the conditions and forces that brought about the evolution of all this eventual Jewish uniqueness and Jewish political, religious, and spiritual individuality. It is my plan and hope to continue and complete this work in the near future.

As for my conception of revelation and of the historicalness and significance of the tradition of the exodus from Egypt, I need only refer you again to the unread introduction to this paper. There you will see that I do believe in the historicalness of the exodus and of the personality of Moses, although, for good and sufficient reasons, I do not attach to either quite the same significance as do tradition and, evidently, also the majority of my critics. My conception of revelation, too, will be found there to be real and positive, and, even though somewhat untraditional, still in full accord with the conception of revelation held by none other than the prophets themselves, and also by such pioneers of Reform Judaism as Abraham Geiger.

In conclusion let me call your attention to something of extreme significance. Despite all the criticism, hardly a single fact or conclusion presented in the paper has been refuted, or even questioned. And, until this is done, all the criticism offered this morning, with the single exception of the specific criticism of my friend and colleague, Professor Buttenwieser, has little or no value. History is primarily a concatenation of facts and events. It is poor logic and false science to proceed, as the majority of my critics seem inclined to do, to posit a certain philosophy of Jewish history, a theory of Jewish uniqueness and Jewish psychology and Jewish soul and Jewish racial individuality, and then deduce the facts of Jewish history and present them

in accordance with this preconceived hypothesis. Rather we must first ascertain all the facts and their interrelationship, in as considerable detail as possible, and determine and measure, as far as we can, the forces and conditions that brought about these facts and contributed to the evolution of our history. And only when we have done this faithfully, and without bias or preconceived hypothesis, may we attempt, reverently and truly, to determine what constitutes real Jewish psychology and the genuine Jewish soul and the true uniqueness of Judaism and of its contribution to human knowledge and faith.

But, as the introduction to the paper states, this very work is being done for us Jews by non-Jewish scholars, and often in a non-Jewish, and, occasionally, even in an anti-Jewish way. It is an anomalous and not altogether creditable condition. It is high time that we Jews frankly and boldly face the problems and questions which Biblical Science has raised, the facts it has presented, and the conclusions and hypotheses it has advanced, and refute them, if we can. And if we can not refute them, then let us be honest and openminded with ourselves and with our people and with the world, and let us determine for ourselves, and not be content to have others determine for us, what their real significance is, and what is the true history of Israel in the Biblical period and in all subsequent periods.

This I have tried, in my own way, to do. It has never been an easy, nor, at first, even a pleasant, task. It would have been far easier and pleasanter for me to abide by tradition, and shut my eyes, as many do, to the problems and conclusions of Biblical Science, and delude myself that they do not exist, or obscure them by all manner of casuistry. But this I could not do. And so I set myself faithfully to the task of studying Biblical Science, until I, too, could speak with authority thereon, and could work out for myself the history of my own people. Naturally I have had to follow the lead of earlier Biblical scholars and accept their tried and tested conclusions. But I have sought not to follow on just blindly, and not to work without constant and full consciousness of my purpose and its full significance for Judaism, nor without pride and joy in my task. I believe I have succeeded somewhat. And today I have given to you a

small, introductory part of the results of my work; not a mere rehash, as some of my critics have thought, of the conclusions and teachings of Biblical Science during the last fifty years, but an individual and well-rounded presentation. And the paper contains considerable material never yet given to the world by any scholar nor in any book. My aim is, today and at all times, to present our Biblical history, the history of our ancestors in the Biblical period, from a sympathetic and constructive Jewish standpoint, and with full consciousness of the significance of this presentation for our present-day Judaism, at least for our Reform Judaism. I am not so foolish as to propose to teach history in this way directly to the children in the religious schools, as some apparently think. But I do believe firmly, that our Jewish history should be known and understood from the scientific standpoint, by our rabbis, the authoritative interpreters of our religion, and even by Jewish religious school teachers, in order that our Judaism itself may be by them rightly understood and authoritatively, constructively and inspiringly interpreted. This is my constant purpose in this paper and in all writings like it that God may give me power to bring forth. And in this spirit I lay this, and all my work before you, to study, to criticize, and, above all, to use, as may seem good to you.

H

SYMPOSIUM--CHARACTER BUILDING

I

CHARACTER BUILDING AND JEWISH HISTORY

RABBI JULIUS RAPPAPORT

In attempting to formulate an intelligent answer to that phase of the question in our symposium as to what is the effect of teaching Jewish History upon the conduct and character of our children, I realize my own lack of preparedness for this all-important subject. Above all, the student approaching this disquisition, is painfully impressed by the paucity of cognate literature. In the rich field of Jewish lore, that of religious pedagogics has been neglected almost entirely. With the exception of Gudeman's sources of material relating to the "*Geschichte des Erziehungs Wesens*" of the mediaeval period, Samuel Marcus' (1877) and B. Strassburger's (1885) compilations, little if anything has been written regarding the science of Jewish education. The praiseworthy efforts on the part of the Synagog and School Extension Department, the Jewish Chautauqua Society and the Bureau of Jewish Education, are too recent for measuring results. And the noteworthy contributions to the history and method of teaching by Abram Simon, Henry Berkowitz, Julia Richman, Eugene Lehman, Edward N. Calisch and D. E. Wegelein, works of merit as they no doubt may be, are but so many grains of sand in the vast wilderness of methodlessness. The fact of the matter is, we are still groping in the darkness, feeling our way as it were.

Nor is this surprising. The same conditions prevail regarding education at large in America and England. You will not charge me with a breach of neutrality when I say that the educational theories which in Germany have been developed

long ago into a science, have but recently attracted attention among the English speaking peoples. At a time when Germany could point to B. Basedow (1723-1790) J. H. Pestalozzi (1746-1827) F. H. C. Schwarz (1766-1837) and F. Froebel (1746-1852), the founders of the science of practical pedagogics; at a time when Germany had men like F. Herbart (1776-1841) and F. E. Beneke (1798-1852), J. F. Rosenkranz (1805-1879) and R. V. Raumer, establishing the principle, the philosophy, the psychology of teaching and the history of education, at that time, I say, we still hear Herbert Spencer (1820-1895) complaining about the "rude and undeveloped character of our education" (*Education*, P. II, London, 1861). Seeing that but little original research work has been attempted in the field of general education outside of Germany, it is small wonder that the art of religious teaching is still in its formation period. Thus far we have not yet discussed, far less discovered the means of registering the results of the effect upon character of the different kinds of studies in our religious curriculum, and to my knowledge it is for the first time that the earnest effort is being made in that direction. It is this relation that we want to establish in our symposium, one phase of which is,

What is the value of teaching Jewish History for building of character in its relation to other studies? The brief time allotted to me will not permit an analytic investigation of the nature of 'history' or the essence of 'character'.

It is a well known fact that the child loves stories. It will listen with absorbing interest and manifest eagerness to the relation of events and incidents in the life of great men, their feats and defeats, achievements and accomplishments, It is a well established principle in the psychology of education that example is a far more potent factor in the development of character than mere precept and principle. And history has been defined to be "philosophy, teaching by example"; to make the past present, to bring the distant near, to place us in the society of great men, * * * to call up our ancestors before us with all their ideals and aspirations, their ambitions and aim of life, is the object of the historian (Macaulay, volume I, 337-433). True, most of them are satisfied to chronicle and catalog

dates of changes in administration, wars, sieges, rebellions and victories which mere narrative of past events they consider then a complete history. "Authors of history", says Raub (Method of Teaching, 385) "seem to think that the student is interested only in war and its results, and not in the victories of peace". Indeed the history of most nations are histories of wars and conquests, and American history is still largely of such descriptive type. (See Boyer, *Principles of Teaching*, p. 314). Few are they who, like F. L. G. Raumer (1781-1863) and L. V. Ranke (1795-1886), see "the fingerprints of God, the Lord's unfolding Himself in History", tracing effects to their causes and pointing out the logical and unavoidable relation between economic and political states of affairs and social and cultural conditions. For after all this is the real purpose of history, to prove by fortunes and experiences of the past that man is capable of improvement and that his moral and spiritual growth and development are as sure as that of his physical part. "History," says Boyer, "is a schoolmaster, it teaches the laws of national life as effectively as physiology teaches the laws of physical life. A knowledge of causes and effects in the moral career of historical characters is moral philosophy in the concrete. (*Principles of Teaching* p. 327).

Herein, however, lies the worth and value of Jewish history. It teaches that nations like individuals have duties and responsibilities which they can not shirk. The writers of the Bible seemed to have been endowed with an intuitive historical perspicacity; with a keen, penetrating insight into the workings of the causes and effects of historical sequence that is simply marvelous. They seem to have been gifted with an all-permeating outlook and vision, piercing the veil of the very future, forevisioning the inevitable effects resulting from certain causes and conditions. That which modern students of sociology are but slow to recognize, the writers of the Bible seemed to have realized clearly; namely, that Society is an organism, an aggregate of forces, guided and governed by an all-wise Providence, in accordance with certain laws, making for evolution, development and growth. Israel's history is recounted not because it is glorious, but because it effectively illustrates God's gracious attitude toward man and the inevitable consequence between

right and wrong acts. The narrative material is determined by the higher religious and ethical purpose. (Kent, Hist. Bible, v. I., p. 24). Now if the ideal to be attained by education is the perfection of human character and to develop human capacity for happiness, the examples provided by Jewish history are the most suitable means for that purpose. Aiming at the improvement of character, the teacher should point out sins and failings in the lives of our heroes and the inevitable effect resulting therefrom. The force of the numerous examples of misery and misfortune following in the wake of sin and immorality, cannot but influence the child not less than the man, and thus become a deterring agent on the one hand and incentive for goodness and godliness on the other hand. Here, in the history lesson, we can unfailingly point out that Israel has been chosen as the 'servant of the Lord', to become a blessing unto himself and a blessing unto the nations. In the history hour the lesson can be impressed deeply and indelibly that Israel is the missionary people of God, appointed by Him to carry the light of truth, of justice and righteousness, unto the nations of the earth. To be worthy of this mission, every Israelite is obliged to lead a clean life himself, to set an example of duty and devotion for all that which is good and true and honorable. And history is an unfailing witness that whenever and wherever its men as individuals and the people as an aggregate were true, loyal and faithful to their God they prospered and progressed. But when they went astray, when they sinned and transgressed and departed from the road of virtue and morality, they suffered seriously and felt the corrective hand of Providence. Much of Jewish history was not intended as historical fact and has only a didactic purpose. (See Graetz, *History* vol. I. p. XII, Ger. Ed.) and this tendency can be made in the history lesson an abiding influence for good in shaping, moulding, framing and fashioning the character of the child. For the teacher is a 'builder' (Bab. Ber. 64), a builder of ideas and thoughts, building the temple of humanity in the hearts of his pupils. "Upon the knowledge of one's history depends the strength of the national consciousness," and for the Jews, having no common country to unite them, no uniform language, spoken and understood by them all, differing greatly in their mode and

manners of living, feeling and thought, differing in the very conception about race and religion, there is only one thing that unites them all, the orthodox and the reformer, the believer and the unbeliever, common history! "We are welded together by a glorious past. We are encircled by a mighty chain of similar historical impressions, pressing in upon the Jewish soul, and leaving behind a substantial deposit." (Dubnow, *Jewish History*, 29-31).

Even while constituting a political nationality on his own territory, Israel was for all purposes nothing but a spiritual kingdom. The inner life, the social and moral development are the essence and the substance of its history. As a political nation the Jew was a failure but as a kingdom of priests and a holy nation, the history of Israel is unique.

And after all, history without the spiritual element, is a shell without a kernel, "as indeed is almost all the history which is extant in the world." (Macaulay, vol. I. p. 198). Religion, however, is the most important element in the history of the Jews, and by studying this history, the examples of duty and devotion to principle, the models of nobility, magnanimity, excellence and worthiness, the patterns of faith and hope and trust and reliance on God, and of love and kindness, and charity and generosity to man; the types of firmness and fortitude, of courage and endurance, of self-sacrifice and martyrdom cannot fail to influence the character of our youth.

Again the history of the Jews, especially that of the diaspora, is closely connected with the lot and the fortune of all civilized nations among whom they were scattered, and the study of this phase of Jewish history, culture and life and habits is not only highly interesting, but cannot fail to arouse the child to thinking, comparing, reasoning and judging. "If the history of the world be conceived as a circle, then Jewish history occupies the position of a diameter, the line passing through the center." (Dubnow, II, *ibid.* 22.) or, as Jehuda Halevi said, "Israel is to the nations as the heart to the body." (Abrahams, *Jewish Life*, XXV.) For over and above national significance, Jewish History possesses universal significance. Thus the growth and evolution in the social and cultural life of the nations, the changed

views and conceptions in the political economy which is turning the peoples' minds more and more to the institutions of Israel, as, for instance, the modern view of regarding the wealth of the nations as the source of real strength, contrary to the teaching of the church and in accordance with the view held by Judaism; equality of man before the law; rights of man; justice to the poor, duty to the weak, the helpless, the attitude of employer towards the laborer, etc., etc., cannot fail to make a deep impression and exert a lasting influence upon the character of our youth. Painter was right when he said that the civilization of Europe and America can be directly traced to the Jew. (*History of Education*, 24.)

It is but natural, however, that a good deal in this respect will depend upon the teacher, his ability to point out the comparison and in guiding the pupil to self expression, thinking and reasoning. The parrot like repetition of the history lesson without making it necessary for the pupil to use his imaginative and thinking power, but, above all, failing to urge him to apply and put into practice the moral principle, is of little, if any, value. The value of history lies not in the knowledge of the chronological record of dry facts, but in due regard to the ethical and psychological side thereof. Mere information and skill in the knowledge of past events without entering into the spirit of the narrative is of no value as respects the character. In referring to the beautiful sentiment of the Psalmist, "The beginning of wisdom is the fear of God, a good understanding have all they who fulfill his commandments." (Ps. CXI, 10), Raba B. Joseph makes the apt remark: "It does not say 'they who learn,' but 'they who fulfill,' " meaning to imply, that one who performs a good deed but is not actuated by a goodly motive, it were better for him not to have been born." (Bab. Ber. 17). And in the same spirit does R. Banak teach: "He who learns the Torah without a Godly purpose, his learning will be to him like deadly poison," (Bab. Ta'anith 7), for, as another teacher says, "Not the learning is the main thing, but application thereof." (Aboth c. I.). To be conducive to good, to be helpful in character-building, Jewish History must be imparted in a reverential manner and, to give a concrete example, not as

it is done in the "Yeedishe Nationale Radikale Shoole." This school, which has branches in many States of the Union, was not instituted, as an editorial writer in the *Israelite* of March 20, 1915, seems to think, merely as an improvement upon the methods of the Talmud Torah. These schools, while aiming to acquaint the child with Biblical History, have the sole object of Jewish nationalism and absolutely ignore, if not antagonize, Jewish religion. They do not teach Hebrew, therefore, but Yiddish, and in giving instruction in Bible History, it is done, as the name "radical" clearly implies, in an irreverent manner so as to eradicate every sentiment of love for all that is holy and sacred in the life and the very teachings of the Jewish people. Education, however, that does not beget right feeling, right thinking and right acting, is no education. In the March number of *School and Society*, a journal devoted to Pedagogics, one of our educators contends in a lengthy article entitled "Why Educate?" that modern education is a failure, seeing that the people of Europe still act like savages in the present war. Alfred Russel Wallace, the famous scientist, also contended long before the war broke out, that there is no evidence of real moral progress in man. An education of the kind given by the above named school is certainly not conducive toward moral spiritual progress. They teach Jewish History just as they would teach Roman history or the history of Greece. Young minds, however, are not so much to be filled with knowledge as to be inspired to effort, disciplined for acts of love and kindness and sacrifice. Education must be deeper and broader, reaching the inner man, must reach and touch and develop the whole man, the head, hand and heart. And it is the heart, the soul, the inner man, that should be reached in the effort to influence by the examples of loyalty, devotion, duty, morality and nobility as set forth in Jewish History. Its value for building, moulding, shaping and forming of character is indisputable. Its place in the curriculum of the religious school is indispensable. Its relation to character-building is undeniable. Its influence is above every shadow of doubt.

II

CHARACTER-BUILDING AND ETHICS

PROFESSOR MOSES BUTTENWIESER

In discussing the subject, "Character-building and Ethics," before an essentially religious body like ours, or, for that matter, before any gathering of earnest men and women, the question of paramount importance is: Where does religion come in? What is the relation of ethics to religion? To what extent are the two interdependent?

I shall define my position at once. There is nothing new about it. I cannot claim any originality for it whatever. I have simply taken it over from our leaders of old—authorities whose religious views have stood the test of the ages, and whose ethical pronouncements, after well-nigh 2,500 years, still pass unchallenged.

A morality which is not rooted in the religious consciousness is no true morality; it is, of necessity, barren and ineffective, as, *vice versa*, a religion which does not transform the mind and heart, which does not produce ethical conduct, nay more, which does not produce a life of surrender to the good, is no real living religion; it is, at best, a system of hollow forms and meaningless dogmas.

In support of my statement, let me quote from "The Law of Holiness," *Lev. XVIII* 5: *ushemartem 'eth huqqothai we'eth mishpatai 'asher ja'ase 'otham ha'adam wehai baḥem 'ani 'adonai*, "Ye shall heed my laws and my commandments, by the practice of which man liveth—I am the Lord!"

We have here an apparently simple sentence—so simple, in fact, that it hardly arrests attention; yet this sentence reveals the very heart of religion and shows clearly whence ethics derives its sanction.

The verse, first of all, lays emphasis on conduct. By his conduct alone, by the constant exercise of his moral faculties, can man prove his conformity with a divine will and purpose.

Secondly, it defines what constitutes living, i.e. living in the true sense:—"Ye shall heed my laws and commandments, by the

practice of which man liveth." Only by obedience to the divine will or law, does man's life receive worth and purpose; only by the practice of morality does man live.

Finally, it gives the meaning of this latter truth, the basis, or the outcome of it, as you choose, the Alpha and Omega of it:—"I am the Lord!" If there were no God there would be no moral life; the efficacy of obeying the dictates of morality and religion but proves that there is a God.—Therein does He reveal Himself.

God manifests Himself in the power of the good. This thought is found even more strikingly expressed in another verse of "The Law of Holiness": *qedoshim tiheju ki qadosh 'ani 'adonai 'elohekhem*, "Ye shall be holy, for I, the Lord, your God, am holy." As a matter of fact, this verse is supplementary to the one quoted a moment ago, and, indeed, was so understood by the exegetes of old, whose interpretation of it has come down to us in two versions. The one, found in the *Sifra*, reads: *qedoshim tiheju ki qadosh 'ani 'adonai. 'im maqdishim 'attem 'eth 'aṣmekhem ma'ale 'ani 'alekhem ke'illu qiddashtem 'othi we'im 'en 'attem maqdishim 'eth 'aṣmekhem ma'ale 'ani 'alekhem ke'illu lo qiddashtam 'othi.* "Ye shall be holy, for I, the Lord, am holy. If ye sanctify yourselves, I shall account it to you as if ye had sanctified me; and if ye do not sanctify yourselves, I shall account it to you as if ye had not sanctified me."

The text of the other, which is found in the *Yalqut*, is as follows: *qedoshim tiheju ki qadosh 'ani 'adonai. 'attem mithqaddeshim bi wa'ani mithqaddesh bakhem.* "Ye shall be holy, for I, the Lord, am holy. Ye shall become sanctified through me, and I shall become sanctified through you."

These two explanations show remarkable depth of thought, a clear grasp of the most profound truth of the religious-ethical teaching of Israel as developed in literary prophecy:—Man shall fashion his life after the Divine; his model shall be God, the absolute perfection; nay more, in man himself is the Divine through which he shall be sanctified—God is immanent, is indwelling, is present, in man; and man, by heeding His presence, both shares in the life of God and promotes His divine purpose.

Here we have the sanction, or the foundation, as you choose, of ethics, as discovered by the great prophets of Israel. To

understand the significance of their discovery, to see it in all its bearings and far-reaching consequences, we must turn for a moment to the religious speculation prevailing in the surrounding Oriental world at the time of the appearance of the literary prophets, and even for many centuries after their activity.

The religious speculation of the ancient Orient, as the cosmogonic myths of the Semitic as well as of the Aryan peoples show, generally leaned towards Dualism—the belief, that is, that the world is ruled by two sets of supernatural powers opposed to, and in eternal conflict with, each other, by the powers of light and of darkness, or ethically expressed, by the powers of good and of evil.

It is not necessary, nor would it be possible, in such brief space as is allowed me, to trace this speculation through the devious courses of its development; it may suffice for our purpose to remark that it attained its fullest development in Parsism, where it gave rise to an ethical religion of an unquestionably high standard, and that from the Parsic religion, in due course, under the influence of the sideral fatalism of later antiquity, Mithraism, with its Saviour-god, branched off; and this, together with the other Mystery-religions, spread, at the decline of antiquity, over the Orient and Occident alike. These Mystery-religions, with their Saviour-god, played, as is now widely recognized, a determining factor in the development of Pauline Christianity; and even Judaism could not entirely escape their alluring influence—a fact which is the less surprising when one considers that the related eschatology of Parsism had already, in a previous period, gained entrance into Jewish religious thought.

The ethical feature which Parsism and the Mystery-religions have in common with Christianity, and to a certain extent, as I have just noted, with later Judaism, is the tendency to divert the mind of man from this to the other world (a tendency which is of particular interest to us in the present connection), on the one hand, to produce in him contempt for this world of physical and moral imperfection and to make him suspicious and neglectful of the demands of this life, and on the other, to make him all-solicitous about his future salvation, about securing his share in the glory of the life eternal to come.

The explanation of this tendency is to be seen, to my mind, in the fact, that however spiritual in character, neither Parsism nor Mithraism, and still less the other Mystery-religions, ever shook off entirely the encumbrance of their origin, of their development out of the worship of Nature and the deification of physical forces. Thus, the dread with which the mysterious forces of the surrounding material world inspired the mind of the primitive man lingered in these religions as a dead-weight, even when they had reached the highest point of their development.

In striking contrast to the emphasis laid by the Mystery religions on the other world and the future life, is the finding of the prophets. When, in an age of moral chaos and spiritual confusion, they set out in search of God, they found Him enthroned in the human heart and revealing His presence through man's moral consciousness. The ethical monotheism of the prophets, if I may quote myself, is essentially this, "that it is in man's moral nature that religion has its roots, that it is the spiritual, not the material world, whence the idea of the divine flows into man's soul, that it is the sense of right and justice innate in man that brings him ever new assurance of the existence of God and of His control of the universe for a moral purpose—or, as the prophetic author of the story, Elijah on Mt. Horeb, puts it, that it is by 'the still, small voice' that God reveals Himself to man."[1]

The prophets realized righteousness to be the link binding earth to heaven, and for them morality became the object and end of religion, moral perfection the religious ideal. Fellowship with God was to be attained no longer through mystic rites, or external agencies of whatever nature, but by living up to the divine promptings within oneself, by consciously aspiring after, and shaping one's life and conduct in accordance with, the absolute perfection of God.[2]

The goal set for human endeavor by this religious-ethical ideal is fundamentally different from that aspired after by Parsism and Mithraism, or by Pauline Christianity, or even, it must be added, by later Judaism. The fictitious, illusory

[1] *Prophets of Israel*, p. 326.
[2] See Ibid, p. 156.

hope in a future super-mundane world, in a heavenly Jerusalem and a life eternal, is replaced by the realistic hope in a realm of moral freedom and spiritual perfection in our own world, in the Kingdom of God here on earth, among men—by the hope, in brief, in a future consummation when God shall be all and in all.

This hope of prophetic Judaism, instead of diverting man from the needs and claims of this life, directed him to their proper fulfillment, and far from paralyzing his energies and checking his activities, incited him to action, and enlisted the service of all his powers of mind and soul.

By this interlocking of ethics and religion, not only does human life receive worth and purpose, but man's highest need is ministered to, his need for an ideal. Man is constantly seeking, with all his powers, something nobler and better than what he has yet attained. Whether in the progress of history, or in his individual life, he is essentially a being that aspires to transcend himself.

This aspect of the matter is wonderfully brought out in Psalm VIII, where the Psalmist declares that it is on earth, the abode of men, that God is revealed most gloriously—God whose majesty is reflected in the skies. That power by which God's enemies are conquered, by which the skeptics and irreligious are silenced, is renewed in every newborn child, with his heavenly vision yet unblurred, and his soul yet unsullied by evil contact of the world.

Then the author goes on to say that, when compared with the vastness and immensity of the universe, man must dwindle to insignificance; yet he bears the greatest likeness to God; in him the Divine shines forth more radiantly than in the whole universe besides. Our Psalmist says, in effect, that, created in the image of God, man has intimations of infinity and immortality; has the creative spirit whereby he holds mastery over the universe; but, above all, does his God-likeness manifest itself in the conscious putting forth of his soul for the promotion of everything that is noble and good, in the passionate desire of his heart to do right.

And so we come, if we have not been there all the time, to the second part of our subject, "Character-building." After

what has been said before, it is almost superfluous to remark that the ethics which is based on prophetic religion cannot but appeal to the impressionable mind of the young, with their natural need for an ideal worthy of their aspiration, and thus it is bound to promote their moral and spiritual development.

It cannot fail to bring home to them a sense of their responsibility in life, the understanding that their aim should not be to promote their own interests above everything else, regardless of the rights of others, but, if necessary, to subordinate their personal interests to the common good—the realization, however dim, that it is only by an active life of service and surrender that the soul can find true happiness and satisfaction.

Above all, it will impress on the minds of the young (and this can hardly be done early enough) that ideals are idle unless transmuted into endeavor. It is not the passive admiration of the good that counts, but the passionate striving to achieve it; not the mere yearning for a better state of affairs to be brought about, but the sincere endeavor to do one's part, however small, to that end. True idealism, as our Scripture-verse implies, "Ye shall be holy, for I, the Lord, your God, am holy," means active surrender to the desire to build one's character and shape one's life in harmony with the divine Spirit.

In conclusion, just a word or two on the practical side of the question; the question, how to attain our end, how to awaken in the mind of the young an understanding of the highly developed ethics of prophetic religion. This, I feel certain, may most easily be done by a free and intelligent use of the Bible,—let me repeat, *the Bible*—not the paraphrases and adaptations so frequently thrust upon children in its stead.

I should like to say here that, to my mind, the one error to be guarded against in the use of the Bible with children is rationalizing. By rationalizing, the religious teacher defeats his own purpose, for, in so doing, he loses sight of the most valuable asset of the child. Children, it must be remembered, have a decided advantage over grown-ups in that they are still in immediate touch with the realities of things, with the wonder and mystery of the universe—"Trailing clouds of glory do we come, from God, who is our home."

We are perplexed by the wonderful and the mysterious, and feel that we must give some explanation to the child, whereas the child needs no explanation—the wonderful and mysterious are realities for him. As Schiller expresses it,

"Und was der Verstand der Verstaendigen nicht sieht,
Das uebt in Einfalt ein kindlich Gemuet."

Let us, to produce the best result, give the Bible to our children without apology, and trust to the divine spark, alive in all childhood, to give it the right illumination.

III

CHARACTER-BUILDING AND THE STUDY OF HEBREW

RABBI SAMUEL N. DEINARD

If the aim of our religious school instruction is to develop character, let us bear in mind that the Jewish religious school is to cultivate *Jewish* character, that it is to make of the Jewish child not only a religious, God-fearing man or woman, not only an upright and patriotic citizen of our country, but also a loyal Jew or Jewess. For Judaism, even in its most liberal and progressive form, is more than a system of ethics, more than a belief in God and the divine governance of the world, more than "ethical monotheism." It is all that plus faith in, and loyalty to, Israel's historical mission, reverence for Israel's past, attachment and devotion to *Keneseth Yisra'el*, "the collective body of Israel."

Judaism implies, among other things, a deep and thorough Jewish consciousness, the consciousness of our descent from the hoary martyr-people of Israel, the consciousness of our peculiar history, the consciousness of the bond that links us to our remotest past and unites us with all our Jewish brethren. This consciousness properly nurtured and cultivated grows into the strong Jewish sentiment that characterizes the true, faithful Jew, the Jew whose spiritual life is enlarged and enriched by a just pride in Israel's past, a deep reverence for the memory of Israel's lights and leaders, heroes and martyrs, a strong attach-

ment to all our historical possessions, loyalty and love to everything in which the Jewish soul has found expression. That is the Judaism we must teach our children; that is the kind of character we must seek to develop in them.

How can the study of Hebrew be instrumental in bringing about this result? The child must be given to understand that Hebrew is taught in our religious schools because it is our holy tongue, holy in the sense that it is the language in which the Torah is written, in which the divinely inspired messages of the prophets are recorded, in which the Psalmists intoned their immortal songs of praise to God. It is also the language in which Israel has at all times poured out his soul in prayer to God, for even now in the most liberal synagogs certain Scriptural portions, certain prayers and responses, are recited in Hebrew. That is the sense in which Hebrew is to us indeed, *lashon qadosh*, a holy language, or as the Jerusalem Targum in one instance calls it *lishan beth qudsha*, "the language of the sacred House." I hope that we of the liberal school are not so prosaically rationalistic as to deny that, in the above given sense, Hebrew is to us, in very truth, a holy language, just as the synagog is a holy place, and our sabbaths and festivals are holy seasons.

By teaching the child Hebrew we are developing in him reverence for things that are holy to us Jews.

But Hebrew, and the literature written in it, mostly of a religious character, are two of the strongest links that bind us to our past. The cultivation of Hebrew is in response to our duty and desire to carry on unbroken the chain of our historic continuity. The study of Hebrew cannot fail to develop in the child's character a sense of affiliation with our past, helping the mature child all the more strongly to realize his filial connection with our remotest ancestors. I cannot too strongly emphasize the necessity of cultivating in our children this sense of kinship with our past. *Habbitu 'el ṣur Khuṣavtem* "Look at the rock from which you have been hewn, and to the hole of the pit whence you are digged. Look unto Abraham, your father * * * " In that regard the study of Hebrew is of almost equal influence on the child's character as the study of Jewish history.

But Hebrew is also the bond that has always united and still, in a measure, unites all Jews of the dispersion. A study of Hebrew must awaken in the child a consciousness of Jewish unity, a sympathetic brotherly feeling for all our fellow-Jews, no matter in what clime they may dwell, or from what country they may hail. That this is one of the great desiderata in the education of our modern youth, who will question? How often do we meet Jewish young people now-a-days who consider the foreign Jews, especially such as come from countries of a lower level, or different mode of culture than our own, as entirely alien to them. I often wonder how our Americanized young people would feel and act in the presence of a congregation of swarthy Jews of Morocco or Yemen, or of the black-skinned Falashas, if such congregations were to spring up in our western communities. A knowledge of Hebrew, however, would at once supply a bond of sympathy between them and the most foreign looking and strangely acting Jews. The sense of Jewish unity must be cultivated in our modern youth.

The one thing that characterizes the religious thinking of our masses, wherever there is any religious thinking at all, is its prosaic, colorless rationalism. The guiding principle in all discussions is the question of utility; what is it good for? We are living in a utilitarian, so-called practical age, and we Jews too, are just what the spirit of the age and what our environment have made of us. All the more necessary it is that some romantic element be infused into the religious training of our children. Vague as this term "romanticism" is, it will yet, in a measure, convey my meaning to you when I use it in connection with the study of Hebrew, the cultivation of something that is ancient and holy, something that, although of no practical value in our practical age, is yet precious for its own sake, the cherishing of a religious family heir-loom. As a counter-irritant for our prosaic utilitarianism, it will prove of great influence upon the child's character.

I find something of Jewish character-building value in the familiarity, understanding and use of certain Hebrew words. I have in mind such words as *shalom*, *berakha*, *ṣedaqa*, *rakhmanuth*, *'emeth*, *simkha*, *yom tov*. Of course, we can always find English

equivalents of them, more or less exact. And yet there is a peculiar flavor and relish about the Hebrew words that cannot but react Jewishly upon the child's mind, developing its sense for, and strengthening its sympathies with, things Jewish.

But more than that. A people's soul is imbedded in its language, aye, its vocabulary. Emerson has somewhere characterized language as "fossil poetry", upon which Trench comments as follows: "He evidently means that just as in some fossil, curious and beautiful shapes of vegetable and animal life, the graceful fern, or the finely vertebrated lizard, such as now, it may be, have been extinct for thousands of years, are permanently bound up with the stone, and rescued from that perishing which would have otherwise been theirs—so in words are beautiful thoughts and images, the imagination and the feeling of past ages, of men long since in their graves, of men whose very names have perished, these which would so easily have perished too, preserved and made safe forever * * * Language may be, and indeed is, this fossil poetry; but it may be affirmed of it with exactly the same truth that it is fossil ethics or fossil history. Words quite as often and as effectually embody facts of history, or convictions of the moral common sense, as of the imagination or passion of men".

The language of Israel which was the language of a people of a peculiar religious genius, the language used by men who were, to apply Wellhausen's phrase, "the virtuosi of religion," holds embedded the wealth of Israel's religious experience, religious ideals and aspirations, Israel's religious life. What an influence upon the Jewish child's character it would be if he were taught to appreciate the full connotations and associations of the Hebrew words above cited, if he learned that *shalom*, (peace) was the common form of salutation; that *berahka*, (benediction), was applied to the multitudinous formulas of prayer and praise in which the old ritual abounds, and which the Jew was to recite before every experience and every enjoyment, so that gratitude to God was the keynote of Israel's worship; that *ṣedaqa* (charity) is primarily justice, for it is only justice we are doing in helping the poor; that *rakhmanuth* (compassion) is one of the Jew's characteristics who are called *rakhmanim bene*

rakhmanim; that *'emeth* (truth) primarily means that which is firm, secure, reliable, permanent, such being the character of truth; that *simkha* (joy) was to the Jew above all else religious joy on occasions of religious celebrations; that a religious festival was a *yom tov* (good day) a day well spent, and so forth. Will not this awaken a new admiration in the child for Israel's religious inheritance?

But the study of Hebrew will develop in the child an interest in Jewish culture in general. That such interest is very much to be desired in our rising generation cannot be questioned. The indifference of our young people to Jewish culture, and, especially, literary achievements of the past and present is well known and deplored on all hands. Those whose interest is still alive and keen in all matters of Jewish culture are mostly such as have in their younger days received instruction in Hebrew as part of their religious training. May we not perceive some relation between these two facts—a relation of cause and effect? Moreover, the two classic periods of Jewish culture in the history of our diaspora are the ones in which the cultivation of Hebrew was most intense; I mean the Spanish and the post-Mendelssohnian periods, including the Haskalah movement in East-European countries. All that is worth while in Hebrew and Jewish literature of the post-Talmudic era is, with rare exceptions, the creation of these two renaissance periods. And both periods were ushered in and characterized by an extensive and intensive study of Hebrew. I doubt not that the newly awakened zeal for the more scientific, systematic and methodical instruction in Hebrew in the newly organized Talmud Torahs in all our larger communities, especially the new logical method of *'ivrith be'ivrith*, while it may not result in creating a new Hebraic atmosphere, or in making Hebrew a spoken language in this country, will generate in the rising generation a love and loyalty to Jewish culture and to every new product and manifestation of the Jewish spirit. That surely is a consummation devoutly to be wished for by all of us.

To produce all these results would, to be sure, require a different course of instruction in Hebrew than is commonly afforded in our religious schools. The child should not merely

be taught to read Hebrew, but should acquire at least a sufficient knowledge of the language to be able to translate the prayers and the easier texts of the Bible. How this is to be accomplished is another problem. Let us in the meantime bear in mind that instruction in Hebrew is a great factor in the building of Jewish character, in cultivating loyalty to Jews and Judaism, reverence for our past, faith in our future, and love for our history and our culture.

'al yish'al 'adam sar'khav bileshon 'arami, she'en mal'akhe hashareth makkirin bileshon 'arami. The *mal'akhe hashareth,* (the ministering angels) the beneficent influences that make for the strengthening of Jewish character, do not recognize the speech of Aram, the speech of vulgar commercialism and utilitarianism, but favor the study of Hebrew as one of their helpful allies.

IV

CHARACTER-BUILDING AND THE HOME.

RABBI CHARLES J. FREUND

We are to discuss in this paper "Home as an Influence in Character Building." The other agencies such as the common and religious schools, which are utilized to produce this end are incidental. The part that home influence must play is absolutely essential. As teachers in Israel, "Conservers of Judaism," entrusted with a great responsibility, we confront a serious problem. The agency coordinate with school and religious school,--the Home,—must be requisitioned as the most important factor in developing a religious personality. Teachers recognize the fact that the mind of the child is as wax. It is therefore quite impressionable. Home is as the first pencil to write upon that wax. Its markings should be so carefully made that their impressions on this wax will be of lasting good. The child's first school is naturally the Home.

What is done in that home, and for us specifically Jewish home, must be directed toward character development along lines guided by an age-long and revered tradition. It may be

true that we live in an environment in which our thinking and conduct are much influenced by our surroundings. Yet we have not so completely dissociated ourselves as not to be willing to be guided by what proved of immense value to our forefathers. To some this may seem narrow. But immeasurable good may come from patterning our conduct after that of those whose heirs we are.

In the collection of preeminent pedagogic admonitions, the Book of Proverbs, I:8, we are told "Hear, my son, the instruction of thy father, and cast not off the teaching of thy mother." In the Jewish home the parents were naturally the child's first teachers. By precept and example they guided its instruction until the task was entrusted to others. That, however, did not exempt the home from a continued performance of its share of inculcating Judaism's truths. One valuable instrumentality to accomplish this was the agency of ceremonialism. A correct understanding of the purpose of ceremonial might hasten its gradual reintroduction into our homes. We miss much of the sweet poetry of life, for in denuding the tree of some dead branches, there have accidentally fallen away some living twigs. The tree is just as alive today as ever. But can we not graft on some of these fallen twigs, can we not reintroduce some of those agencies that evolved the religious character of the Jew?

Memory feasts on the picture of the old Jewish home. It seems that to the Jew must be applied the thought "that it matters little what a people cares for second or third so long as it cares for its homes first." The Jew loved his home as everybody is ready to admit. By force of circumstances the Jew lived in an essentially Jewish atmosphere. His every act was influenced by his religious teaching. That this had a potent effect upon the impressionable mind of the child is indisputable. From the multiplicity of ceremonials which crowded the day with acts which served to emphasize that ceremonialism had but one function, namely, to inculcate the teachings of religion, let us single out several that would indicate how readily the home was *the* potent factor in character development. That a blessing was recited with the eating of a piece of bread, or the drinking of a beverage, could not help but unconsciously affect the conduct

of the child. When it saw the *Mezuzah* on the door post, or the boy put on the *'Arba Kanfoth*, could he help but be influenced to think of their significance? The multiplicity of ceremonials connected with *Kashruth* and all else that made the home distinctly Jewish, helped to evolve a being whose fervor for religion was intensified by exactions that confined the Jew to Jewish associations.

These things helped to create a spiritual atmosphere. Along with the ceremonials there was the observance of the holidays. The fervor of the celebrations, the sincerity which marked them as joyous occasions, impressed their value on the character of the child. These holidays were occasions of real joy. As life is not a bundle of doleful experiences, but needs the relieving touch of the happy occasions that are the spice, the home must yet be used for beneficial results. A public Seder or temple Succah cannot, by even an application of the most modern pedagogic principles and appliances, begin to rival that which was inspired by home celebrations in connection with Pesaḥ and Succoth. In the one instance there is the passive spectator; in the other there is the active participant. It is a serious mistake to take what were primarily home observances to make of them public functions—to rob the home of its privileges and the good that the home can accomplish. When perhaps this transitory stage of experiment and exemplification of these ceremonies is past,—a fact just at present so seemingly essential,—we can begin to appreciate the full value of what has been accomplished. If the past is a criterion, we would do well to make a herculean effort to revitalize some of these Jewish ceremonies, and the holidays will give an impulse that will make a response as firm as was the experience of the past. For example, let the child see that Succoth does not end with the service in the synagog; that the home is as true a shrine for observing the holy days as the community home, the house of worship. The ethical value of ceremonies and the holidays cannot be given sufficient credit for the influences they may be made to wield as agencies for character building.

Judaism, not however confining this *merely* to ceremonialism, was life to the Jew. It was his hope, his faith, his comfort. It

was as impossible for the Jew to have life without Judaism as it is to have life without air. It contributed to call into existence "*das Juedische Gefuehl.*" Generations of this life made the race stock.

The life of the Jew was not one uninterrupted performance of the obligations and exactions of his religion. In his varied career, he met with the vicissitudes that placed heavy burdens upon him. These experiences, the persecutions and the sacrifices they entailed, were the component elements to develop a type, which is the heir of all kinds of yesterdays. The child of today is not restive under "the yoke of the law," but responsive to a greater responsibility because of the wonderful preservation in spite of persecution and hardship.

This is all without taking into account the work of the teacher coordinate with the work of the home. If you will, you may call the former the days of AUTHORITY, with an unyielding obedience on the part of the Jew to behests that strengthened his character and made of him an examplar to the rest of the world. The child imbibed the lessons which were essential for its development. For the home was "to the mental, moral and religious life of the child what the mother's womb has been to its physical frame. A child is not truly born at birth. It is in the early years in the home, that the personality emerges, that a spiritual and moral being comes to birth, that the child receives a separate and individual nature. The long experience of the race has not devised and never will devise any institution that can replace the family as the great school of religion and duty, as the sphere in which the moral and social qualities necessary to community life are called forth and fixed as basal elements in character. All that is signified by the words love, duty, discipline, came to us during those first years in the home."

But one day all of this changed. When, in the latter part of the eighteenth century, emancipation came to the Jew, a life so different was shown to him, that the Jew was dazed. He was as though transplanted to an entirely different world. In this condition the new life was so different and so attractive to a mind eager to develop, that the Jew began to think that the new was

more valuable than the old. It is the story of human nature since the world began. The child, given a gilded ball throws away the valuable toy. It is in this dazed condition that the Jew finds himself today. With continued emancipation the Jew became a busy man. He could not grasp enough of the new world open to his vista. The Jew in his recent changed condition was too busy to do all those things that had previously concerned him, and which were so helpful in forming character along proper lines. It is a new world in which he finds himself and accordingly he must accommodate himself to its requirements. Had the change been a gradual one, the individualism of the Jew would not have asserted itself so mightily. The Jewish child, in the development of his character as influenced by the environment, presents us with a problem that gives us much concern. It has a great advantage,—an age-long tradition which is an asset of incalculable value. The failure to utilize will be chargeable to any that are thus ignorant of the potential agency for untold good. Whether we wish to admit it or not, there is a Jewish view of life. Ours must be the task to vitalize the changed conditions in which we find ourselves; in a word, to saturate our homes with a maximum of Judaism. The agencies for accomplishing this are not far off. Our first concern must be to have good homes. At the same time they should be keenly, intensely Jewish homes. Where this is a reality, parental authority is respected, the word of father and mother is regarded as supreme. Guidance at the hands of those who are "partners in the creation of man" is not sneered at, but readily welcomed.

If we have succeeded in establishing the good Jewish home, we have made the first telling step whereby our homes can help to develop the character of our children along right lines. "The word authority may not, pedagogically speaking, be very popular just now. But there will be no more regard for authority in the nation than there is regard for authority in the nation's homes. It is not desirable to make of the parent the despot who ruled by reason of fear. But we may rest assured that if, in the home, there can be those mutual confidences which was a condition in the past, we would not have to resort to experiments

whose outcome is not so certain of accomplishing the desired results. "The maintenance of moral ideals in families will do vastly more for the maintenance of chastity than a perpetual discussion of eugenics." The well regulated and truly religious home, as the well spring of character building, will keep clean the entire stream of human society.

Along with a determined well-meant effort for parents to assert authority, the crying need in all homes is respect for the authority of parents and obedience by children. "He that can exert an influence over his family and does not is responsible for his family. He that can wield an influence over his city and does not is held responsible for his city." What this rabbinic maxim teaches is the implication that the home is the smaller unit whose stability assures the permanency of society. Respect for Law and Order, is rightly engendered in the home. The seed, sown there, finds the proper soil for ripening. As there is respect for the authority of parents, the virtues of life form a positive corollary. It can readily be seen that a stimulus will be called forth whereby Justice and Right, Honesty and Honor, Sobriety and Industry will emerge from a home in which the parents' word is the guiding beacon toward paths of safety. It is due to no stretch of the imagination to claim that respect for sex and the chivalries of life have their source in the home. We decry often the age in which we live. We say that it is exceedingly materialistic and much under the influence of rationalism. Granting such to be the case then more are we beholden to avoid the pitfalls that spell ruin, and rather make of our homes agencies for good, so that character forged in these modern homes may stand the severest of tests. The tendency is to undermine parental authority. Our homes rightly regulated and carried on, would give us ample reason to be on guard that the child who is to be the future man or woman shall become possessed of things that will keep Life's stream clean and pure, unpolluted by any disturbing influence that would rob home of its privilege to be the bulwark of society.

We are here stressing the thought that the parent is the child's first religious teacher and guide. As such he must bear in mind that it is not so much what he says as how he lives in

the presence of that child. If reverence is to be instilled, if real religious fervor is to be imparted, if sincerity is to be developed, if the need of sacrifice is to be inculcated, it must ever be borne in mind, that man does not only physically reproduce but reproduction takes place also in the qualities that can be helpful or the reverse. It is the example in the home that can be the best moulder of character. The parent is not merely to supply the physical wants of the offspring. He has higher responsibility in the performance of his share of partnership. He must not only furnish the pabulum that makes for physical well being, but the child's higher nature is also to be fed by him. "*Hammegaddel nikra' 'av v'lo hammolid*" (Ex. R. XLVI: 6), physical parenthood is but one side of parental privileges. The call to parent is to educate their children in a "contagious moral idealism" to effect "moral rebirth." When this is done by all of the agencies that the home can rightly use, we need not fear that character moulding along right lines will fail.

When we see what is going on in the non-Jewish world, we may call to our assistance agencies similar to theirs. There is no one who, with authoritative voice, can say that this or that method is the one which will assure success. It is all a matter of experiment. We must accommodate ourselves to the changed conditions in which we find ourselves. As Parent-Teachers' Associations have recently sprung into existence in our public school system, the institutions which stand for the fostering of the religious nature of mankind can likewise enlist the parents to cooperate with the work that they have to do. The things that have been known to be of value can be readily utilized. The home of the past, or of even fifty years ago, would not apply in an age when other conditions exist. The distractions today so prevalent and outside interests were formerly unknown. The time spent in family association has been shortened. That is no reason why a greater effort should not accordingly be directed to supply what may have been lost. Even the hours of religious instruction have been shortened. It is, therefore, necessary for us to redouble our efforts in the home to compensate for any deficiency that may accrue as a result of these changes. It is time for us to cease constantly bemoaning what is, and, facing

the reality, imbue parents with an appreciation of the part they must take in their homes to give that cooperation that will round out the work of the religious schools to give the children the right to full development.

The real good home influence is gladly welcomed by the religious school. Where there is whole hearted cooperation and the lessons imparted are not counteracted by any detracting agency, we may feel that the rounded-out individual whom we are seeking, will become a reality. To exemplify—if in the religious school the teaching is given that the Sabbath light be kindled in the home on Sabbath eve, what impression is made on the child when it is told at home that such things are unessential? Why? They are the remnants of past superstitions. Respect for the teaching of the school is undermined and the child finds itself in a dilemma as to whom to believe or whose direction to follow. This is not an isolated experience but is seen in the tendency of home and religious school to present different views. If the child be taught to honor and respect parents, how can this teaching be made effective unless what is going on in the home should be the agency to accentuate the value of its school teaching? While it is true that a crying need is for standardized text books—a more pressing necessity is the standardizing of home morals to attain to a degree of conformity with a morality that passes for such everywhere. We tread on delicate ground as we insist that this cooperation be not begrudged but gladly bestowed. A respect for the teachings of the Decalog must find the home sealing with its approval—by conduct—what the religious school theoretically imparts as its contribution to child training.

When authority is reintroduced in our Jewish homes, rightly asserted,— an advantage we may call into assistance, assisted by the cooperation of the agencies that have sprung into being in recent times, we shall recognize the full efficiency of the home. From its precincts will go forth the things which will be the spice to flavor life with another example of how home can and should be the principal agency in the development of character. Then shall we feel that we have created a Jewish type, and just as Joseph went forth with the picture of his father

and the lessons of his home engraven on his mind and heart, so will our modern day individual go out into the world, safely *armored* by a strong Character, the result of a beneficent home influence. And we need no more fear his misinterpreting the lessons of Judaism than Joseph, for we may be just as sure that he will act rightly as well as our Joseph type.

V

CHARACTER BUILDING AND CHILD WORSHIP

RABBI HORACE J. WOLF

If there is one fact that has been generally agreed upon by students of religious education, it is that the religious training of a child requires a distinct machinery. In accordance with this idea, religious educators have invented such instruments as children's bibles, children's text-books, children's stories, and the like; but they have not been particularly alert to the necessity of adapting the religious service in the religious school to the child-mind and the child-soul. They have offered small doses of a ritual for adults, under the misconception that brevity was the one standard of adaptability, and forgetting that the child-nature requires a totally different substance from that fitted for adult minds. They have taken extreme care to grade the religious school lesson, but have given little thought to the adjustment of the children's services to the children's spiritual needs. Now, the purposes of the service, to my mind, are to afford training in worship and to present some specific religious value which shall, through its emotional setting in the service, be incorporated in the life of the child. Generally speaking, the service in the religious school should prepare the children for participation in, and appreciation of, the service in the temple. The children's service is the first social expression of the individual's religious emotion, and should be so arranged as to prepare the child for public worship in later life. If, for example, we are to demand decorum and reverence in the temple, we must inculcate these essentials in this junior congregation.

Perhaps I can make my point most clear by describing some typical and wide-spread mistakes in connection with religious school services. In many schools the Union Prayer Book is used as the ritual, selections therefrom constituting the body of the service. In my judgment the Union Prayer Book is not adapted to juvenile worship: it is primarily an adult's compendium, with a structure, a vocabulary, and a style utterly foreign to the child of religious school age. Further, in many schools the same selections are read week in and week out, the result being that the monotony of the service renders the worshippers restless and impatient; adults are not the only ones who crave spontaneity and variety in worship. The religious school should have a cycle of half a dozen services to be used successively. This is one of the advantages of the new Union Hymnal, although it is to be regretted that the redactors saw fit to transfer so many passages to it from the Union Prayer Book, which are comparatively unintelligible to the child-mind. To illustrate this criticism: how many boys and girls, between the ages of nine and twelve can appreciate the theology underlying the opening paragraph of the Sabbath Service reproduced in the sixth Children's Service in the Union Hymnal: "My God, the soul which thou hast given to me, etc." We all know that even men and women become restless when a prayer is too long; did the authors of the Union Hymnal have the lay point of view in mind when they inserted a series of special prayers in the Children's Services averaging three hundred words and taking from five to seven minutes to read?

A worshipful spirit should be developed in two ways; first, by a service, and second, by an exposition of the ritual employed. Dr. Hodge went to the heart of the subject when he wrote: "Nothing in education is more obviously learned by doing than worship." But there must be an interpretation of the prayers, responses and hymns used or the service degenerates into a mechanical, meaningless formalism. The exposition, however, must *precede* or *follow*, not accompany, the act of worship; the children should not be asked to stop and watch the wheels go round. The place where the service is held is a miniature temple, and should not be mistaken for a class room. Once the

service is at an end, or before it begins, instruction may be given in the meaning of the ritual's vocabulary, or the necessity for decorum, or the mechanics of song. The ritual employed should, of course, be characterized by brevity as children are incapable of sustained religious emotion. Instruction in worship should cover its nature and purpose, and the history and significance of hymns and other symbols. The Hebrew phrases in the service should be fully clarified before they are recited or sung in the assembly.

My second criticism is devoted to those religious schools which permit the individual child to play a part in the school service, allowing a pupil of the confirmation class either to read the service or recite a closing prayer, the latter usually being the same week after week, year after year. We all know how much the service gains in impressiveness in the temple when it is well and properly read: why many religious school superintendents endanger the good effects of the religious service by running the risk of having it maltreated by children, frequently and naturally overcome by stage-fright or made patently self-conscious by the opportunity to shine in public, is not easily understood; to my mind, 'little ministers' should be eliminated from the children's service, and be forever superseded by the rabbis, who have been trained by education and experience to lead religious services. As for the set prayer, recited by the chosen member of the confirmation class at the end of each weekly service, I believe that if it were left to a vote of the children, it would be forthwith abolished; if children are normal, they view this public display of religious emotion, assuming that they feel it, with timidity, and if they do not feel what they recite, the aim of the prayer is utterly lost. It is in these types of assemblies, in which the children are made to usurp the role of leadership, I believe, that the children become unruly, and require constant watchfulness on the part of the teachers.

My third criticism is devoted to sermonettes: the phrase itself is an indictment. Children are not little men and women that they should be afflicted with little sermons; the one proper and natural medium for the inculcation of moral, religious or ethical truths is the story; and where the story form of exhorta-

tion has supplanted the sermonette, there are fewer nodding heads and bored countenances, if the narrator has the happy faculty of presenting his tale in a vivid and picturesque manner. But a word of warning is needed here, too; it is only the unsuccessful narrative, the story that has been poorly told, that requires a long post-script in the guise of a '*haec fabula docet.*'

Let me quote a sentence from a splendid paper on 'Pedagogic Methods in the Sabbath School' read before this Conference some years ago, by Dr. Louis Grossmann: "Jewish education," he said, "aims to recruit youth into conscious membership in the community of Israel." This fundamental aim, I hold, should be borne in mind at every service; the children entrusted to us will have special attacks made upon their loyalty to the religious concepts taught in their childhood, and they need a special enthusiasm for their cause, if the maturer years are not to weaken these ties. I believe that the same pride in American traditions which the public school so capably fosters through its morning exercises, special assemblies, and like, can be equally developed along Jewish lines. We have the same machinery in our weekly assembly and we ought to seek similar ends, in addition to instruction in theological tenets or general morality. The fruit will be a rising generation with a dual set of heroes, a dual patriotism if you please, a fealty to the Jewish past, as deep-seated as that to the American. For this reason, the talks to the children should not be confined to the teaching of general religious or ethical truths, but should include portraits of Jewish types that will capture the child's imagination and inspire him with pride in his people's past. And, let it be remarked in passing, that the world of the child reflects on a smaller scale the animosities which frequently make his elders writhe under their inheritance. Into the everyday experience of the child, happy and serene as it appears, there fall the shafts of ill-will and prejudice, for which there are no better bulwarks, we know, than self-respect and ancestral reverence. If the religious school service succeeds in implanting this conscious loyalty in the hearts of the children, they will become enthusiastic members in the house of Israel.

I recall seeing a picture some years ago, named "The Strolling Player," It represents a child straying through the open

door of the house of God, and, as he enters its shadowy aisles, a breath of mystery blows upon his adventurous spirit and makes him pause; he lets his toys fall to the ground, and advances shyly into the new world, where the throb of the organ stirs his whole being. The picture epitomizes my thought: it suggests the part which worship is to play in the life of the child; it is a call from the heights which must persuade him to lay aside, for the moment, his toys, his books and his games, and sense the divinity which lies dormant within him.

VI

CHARACTER-BUILDING AND THE PERSONALITY OF THE TEACHER

By RABBI CHARLES S. LEVI

For all other phases of character-building, it is possible to find text books to guide the child but in the phase of personality of teacher, one must look to life. Theories are beautiful and text-books plentiful but life alone makes a lasting impression on the minds of men and women, on the hearts of young and old. Life alone is the true guide and shaper of character. We are all creatures of imitation; we are all natural hero-worshippers. Worship is the expression of the loftiest instinct in man to imitate the highest and best and so bring man closer unto God. In the religious school we may make the environment attractive and the service impressive, but the mystic, religious nature of the child will not be permanently helped if the life of the leader or teacher be such as to expose it to the criticism of the child.

In our religious schools where we have few, if any, trained teachers—where the rabbi is perhaps the only one versed in modern pedagogical methods, it is only the life of the teachers, placed upon a higher level than the ordinary, that can inspire the respect of the children and infuse them with a love of religion. By the lives of the persons who are thus expected to teach the children, they must be lead along the sacred path of character and of higher conceptions of life.

These are truths that all must agree to and for that reason the lives of the teachers in the religious school must be such as to inspire with all the virtues the full flowering life which religious education seeks to cultivate. It is not enough, therefore, for the teacher to be merely mechanical in the presentation of the lesson. Kindness should mark the teacher's attitude toward the children; enthusiasm and love for things holy and ennobling and moral—these should be the ideals as well as mark the conduct of the teacher. It will be to little purpose for the teacher to teach children about the observance of the Sabbath and the holidays—to show them the various customs and ceremonies and then have the children discover that the teacher is not himself observing these days nor living up to his own prescribed ideals and duties. It will be in vain to have the children repeat "Remember the Sabbath day and keep it holy" if the teacher does things not in accord with the hallowing of the day. It will be useless for the teacher to teach the children the desirability of attending services on Sabbath and holidays, if the teacher does not himself attend. It will be of little use to teach a child to be charitable, to be democratic, to be considerate of others, when the children can soon find out that the teacher is not living up to these ideals. Many who pose as leaders of the people do not live lives which bring honor to themselves or hallow God. The failure of the old *Cheder* was due to the fact that there was no respect for the teacher; that the children never listened with pleasure and delight to the instruction; that the teacher used hand and stick to drive home instruction instead of gentleness and love; and in their own characters showed anger and bitterness. These are characteristics that must not be found in the religious school teacher. The rabbi, in the religious school, stands before the children as the exemplar of a noble and virtuous life. The rabbi must illustrate in his love for the children what the outcome of his instruction should be —he must be what he hopes the children shall become.

Before the first school was established, the home was the place of instruction. Fathers and mothers were the guides of their children. The growing child was the portrait of the moral and religious life of the parent. Right living and right thinking

are contagious and it has well been expressed in the words of our prayer-book, "We must lead, not only by precept but also by example, those entrusted to our care." The men and the women who are to lead the children in the way they should go, should themselves, in their lives, point out the way on which the children should go; should exercise greater influence through their lives than by any other method. All the external aids and means will be in vain unless they actually live up to their ideals. We may not furnish the children with a palace for a home but we must furnish all of them with a palace of the heart. After we have beautified and equipped our schools, we must be sure to add thereto the greatest beauty and the most useful equipment—that of love. Goodness of character and truth must be the forces which shall surround the unfolding character of the child and make it Godlike in spirituality and in gentleness.

VII

CHARACTER BUILDING AND THE PHYSICAL AND SOCIAL APPARATUS OF THE RELIGIOUS SCHOOL.

RABBI ISAAC L. RYPINS

Brethren, Ladies and Gentlemen:—I believe the Chairman of this Symposium had evil designs on me when he assigned this topic to me. When he asked me to speak on the physical and social apparatus of the religious school, he must have remembered my daily practice in physical culture. Whether or not he thinks that it has made a good character of me, I do not know.

Again, in placing me last on the program, he must have had evil designs on me. I feel simply disarmed. The preceding speakers took the wind out of my sails; and now I feel that I am perfectly harmless, if not absolutely helpless. They said all that I intended to say and much more. One comfort, however, is in store for you. I shall not say much, but I shall not say it long.

It is a far cry from the old *Cheder* to the modern religious school. I fully appreciate the uplifting influence of the modern

school; and in my humble capacity, I try to make our religious school as inviting as possible. Yet I must confess that I can not see the logical connection between the physically equipped religious school and the building of character.

The modern religious schools, equipped with gymnasium and pictures are, no doubt, uplifting cultural influences, and have their place and function in the life of the child. But what vital part they perform in character building, I have yet to recognize. For I believe that as religion is a life to be lived and not merely a ceremony to be performed, so character is the fruition of religious living.

If you will pardon a personal allusion, simply because personal experience is the best knowledge, I received my religious education in a *Cheder* and not in a modernly equipped religious school. Yet I have no reason to feel ashamed of my antecedent conditions. Somehow, our parents were not confronted by problems such as we have to face to-day. Their chief concern was how to provide for us, not how to raise us. Their life's experience proved adequate inspiration for us. It was their life, as well as their love, that created the atmosphere that made their children, men and women, wholesome, moral characters.

Character is grounded in religiously living up to moral principles; and does not depend upon any extraneous and artificial environment. I do not mean to decry the modern religious school with its physicial and social apparatus. In fact, I fully believe in it for the development of the aesthetic taste of the child. Instructive pictures and physical apparatus are splendid in their way. They may be termed ornaments to Wisdom. But the soul's sustenance must be of different stuff.

If our parents and teachers would accentuate the "living of a life," our children's character would unfold as wholesomely as their bodies grow strong in clean and inviting physical environment. What the modern child needs is living examples of righteous life more than inviting physical environment. Sincerity of life more than the performance of ceremonials or physical and social apparatus will, I think, inspire the child with ideals of a sound character and a moral life.

From personal experience I can attest that, not the physical environment, but the moral life I was taught to live, moulded

my character. And therefore, as parent, my chief concern is not so much to have my own children perform religious ceremonies, or repeat Hebrew words, as our friend Rabbi Deinard would have his children do; rather do I strive to inspire them with lofty ideals of clean living.

As parents and teachers we are responsible for the character building of our children. Let us furnish for them religious schools equipped with physical and social apparatus. But let us bear in mind that that alone will not mould their lives into sound character. Rather let us strive to inculcate in them moral principles. Then may we hope to attain manhood and womanhood of good, sound, moral character.

I

THE HARMONIZATION OF THE JEWISH AND CIVIL LAWS OF MARRIAGE AND DIVORCE

Rabbi Kaufman Kohler

Introduction

The subject which has been assigned to me for discussion has been before this Conference for a number of years under this or some similar title. Upon a motion made in 1907 by Rabbi Abram Simon at the Frankfort convention, a resolution was adopted that "in view of the disparity between some of the Mosaic and rabbinical marriage laws on the one hand, and the theories, laws and practices prevalent in our country, a Committee be appointed to prepare a complete review and comparison of the same with the special purpose in view to guide the reform rabbi in his religious and civic practices." In the following year the Committee, with Rabbi Rosenau as Chairman, proposed "a division of labor among the members before a basis for a method of harmonization could be arrived at," while at the same convention a paper on Intermarriage was read by Rabbi Mendel Silver. In 1909, at the New York convention, the intermarriage question was discussed in two papers, one by the late Prof. Feldman from the historical, and another by Rabbi Schulman from the theological, point of view, and, after a lengthy debate, a resolution was adopted declaring that "mixed marriages are contrary to the tradition of the Jewish religion and should, therefore, be discouraged by the American rabbis." At the Charlevoix convention, in 1910, the Committee, with Rabbi Frisch as Chairman, reiterated the proposal of a division of labor, while suggesting papers to be written on the Status of Woman, legal and social; on Prohibited Marriages and Remarriage; also papers by Jewish lawyers representing the legal point of view, such as the one written by B. H. Hartogensis,

of Baltimore, on "Jewish Marriages and American Law," and read at the Baltimore convention.

At the Atlantic City convention in 1913, the modern problem of the Jewish marriage and divorce laws was discussed in a paper by Rabbi J. Leonard Levy, of Pittsburg, and Rabbi Leon Harrison, of St. Louis, while the Committee, through its Chairman, Rabbi J. Leonard Levy, offered a number of recommendations concerning rabbinical and State divorces and marriage and re-marriage which were referred to the Executive Board for action. Last year, at the Detroit convention, Rabbi Silverman, as Chairman of the Committee, reported briefly on four important topics: 1. On rabbinical divorce; 2. On national marriage and divorce laws; 3. On eugenic laws; 4. On forbidden marriages; but no action was taken by the Conference.

Obviously, amidst the continual change of the members constituting the Committee, the subject, so pre-eminently important for the modern Jew, as it involves the purity and sacredness of the home and the welfare of the race, has thus far failed to receive the serious and thorough investigation and discussion which it imperatively demands.

True, the complexity of its nature and the many problems it presents make it exceedingly difficult for any single member of the rabbinate to treat it exhaustively or even satisfactorily. Still the matter is too urgent to allow further delay, and to each of us comes the appeal: לא עליך המלאכה לגמור ולא אתה בן חורין ליבטל ממנה "It is not incumbent upon thee to complete the task, yet thou art not at liberty to desist from it." Particularly as the representative exponent of Progressive American Judaism ought this Conference of American rabbis take a clear and definite stand on all the grave questions at issue in order to offer substantial and, I trust, also valuable aid in the contemplated undertaking of furnishing the American people with the long-looked-for Uniform Code of Marriage and Divorce Laws.

CONSERVATIVE JUDAISM AND THE CIVIL MARRIAGE LAWS

In using the term Progressive Judaism, I fully realize that the conservative rabbi is also confronted and at times perplexed by new problems arising from the changed conditions and environments. His absolute adherence, however, to Tal-

mudic law and tradition as fixed by the accepted codes forbids him to surrender any of the rabbinical statutes in favor of the law of the State, and hence a harmonization of the religious and civil laws is for him out of the question. All he can do is to have a double code of laws, the one of the religious and the other of the State laws, side by side, no matter how inconsistent his mode of action be. Such was indeed, the standpoint taken by the Napoleonic Sanhedrin, in 1807, when, in response to the question whether intermarriages are permitted in Judaism, they declared that "marriages between Christians and Jews are from a civil point of view valid and binding and, although such marriages cannot be invested with religious forms, they shall not entail any anathema (*Cherem*)". Less known, but just as important and characteristic are the two declarations preceding this which read as follows: "Article I, on Polygamy: While polygamy is permitted in the Mosaic law, the Israelites of the Occident have, in conformity with the civil laws of the states in which they lived from the early times of their dispersion, generally renounced the same, and the Synod of Worms under the presidency of Rabbi Gershom, in 4790 of the Creation Era, pronounced an anathema upon any Israelite marrying more than one wife. Polygamous marriages are thus rarely found among the Israelites of the European continent. Consequently the Grand Sanhedrin, realizing the importance of the maintenance of this general custom of the European Israelites and in confirmation of said decision of the Synod of Worms as a religious precept, declares that in all the states where polygamy is prohibited by the civil law, particularly in those of the French empire and the Italian kingdom, every Israelite is forbidden to marry a second wife during the lifetime of his first wife, unless a divorce from the latter, pronounced in conformity with the regulations of the civil code and followed by a religious divorce, has dissolved the marriage bond. Article II, on Divorce: In consideration of the necessary harmony between the Hebrew customs regarding marriage and the civil laws of France and Italy on the same subject to which, also, the religious principle demands submission, the Grand Sanhedrin declares that the divorce permitted by the law of Moses is valid only when it effects an absolute dissolution of all the ties binding the two

persons in question together; also from the point of view of the civil law, since, according to the civil code which governs the Israelites as French and Italian citizens, no divorce is consummated unless decreed by the civil court, the Mosaic divorce lacks the force of a complete dissolution of the marriage bond. Wherefore the Grand Sanhedrin, by virtue of its authority, also makes it a religious ordinance that henceforth no divorce should be given according to the form established by the Mosaic law except after the marriage has been dissolved by the competent civil court, according to the forms prescribed by the civil code. It should also be expressly forbidden to any rabbi within those states to lend his service to the granting of a divorce without having the civil divorce decree in good form presented to him; otherwise any rabbi who permits himself to infringe upon the present religious statute should be regarded as unworthy for the future of performing his ministerial function."

In the answers formulated the year before by Rabbi David Zinzheimer on behalf of the assembly of Jewish notables, special reference is made to the Talmudic principles: "The law of the state is supreme law," and the Code Eben Ha Ezer (Ch. 137) demanding an absolute dissolution of the marriage bond by the *Get.* In regard to mixed marriages the Talmudic view that the Mosaic prohibition refers only to idolatrous nations, if not exclusively to the seven Canaanite tribes, is maintained and the modern nations declared to be monotheists, the only obstacle in the marriage of such being found "in the religious ceremony which separates Jews from Christians exactly as the same separates Catholics from non-Catholics, and therefore can be as little performed by the rabbi in the one case as by the priests in the other[1]."

Thus at the very entrance of the Jew into modern life, the possibility of a harmonization of the religious and the civil laws of marriage and divorce became a question of great importance, but it was solved rather evasively by the conservative rabbis.

The same conservative view, only more outspoken, is taken for the English Jewry by M. Friedlander in his work, "*The*

[1] *Proces Verbal des Seances del Assemblee,* etc. (Paris, 1806, pp. 30-36), and *Actes du Grand Sanhedrin* (1807, pp. 92-96).

Jewish Religion" (London, 1891, p. 488 f.), where he writes: "We acknowledge the principle laid down in the Talmud: "The law of the country is binding upon us," דינא דמלכותא דינא, but only in so far as our civil relations are concerned. With regard to religious questions our own religious code must be obeyed. Marriage laws include two elements, civil relations and religious duties. As regards the former, we abide by the decision of the civil courts of the country. We must, therefore, not solemnize a marriage which the law of the country would not recognize; we must not religiously dissolve a marriage by *Get* unless the civil courts of law have already decreed the divorce. On the other hand, we must not content ourselves with civil marriage nor civil divorce. Religiously neither civil marriage nor civil divorce can be recognized unless supplemented by marriage or divorce according to religious forms. Furthermore, marriages allowed by the civil law but prohibited by our religious law, *e. g.*, mixed marriages, that is, marriages between Jews and non-Jews cannot be recognized before the tribunal of our religion. Such alliances are sinful and the issue of such alliances must be treated as illegitimate." Likewise does D. W. Amram in an article on "The Jewish Law and the Law of the State in Matters of Divorce," in the *American Hebrew* (1903, p. 179), insist that the *Get* follow the State bill of divorce in every case, even when the husband's assent is not obtained, pointing to Talmudic decisions in similar cases where there is danger lest the woman remain in a state of helpless isolation (*Agunah*). It is not necessary to mention other difficulties arising from the conflict between the State and the Jewish laws of marriage also among the conservatives, of which Mr. Hartogensis, of Baltimore, spoke in a paper on "Rhode Island and the Jewish Consanguineous Marriage Laws," read before the American Jewish Historical Society.[1]

[1] February 22, 1910; see Proc. of Jewish Historical Soc., 1911, No. 20, p. 137-146. *Jewish Exponent*, 1910, No. 21. Reference must also be made here to the testimony given by Chief Rabbi Adler and Israel Abrahams before the British Commission on Divorce in 1909, as recorded in the *Jewish Chronicle*; also to the article on "*Jewish Marriages and the English Law*," by H. S. G. Henriques, *Jewish Quarterly Review* XX, 391-449; see especially pp. 437-440 f.

PROGRESSIVE JUDAISM AND THE MARRIAGE LAWS

The real question of harmonization of the religious and civil laws of marriage and divorce can come up for consideration only from the viewpoint of Progressive or Reform Judaism[1], which recognizes the process of growth and development in religion and law, whether Mosaic or rabbinical. Here the question at issue is, how far are the Mosaic-Talmudic and how far are the State laws in accord with our religious and moral consciousness today? It was Abraham Geiger's epoch-making article on "The Position of Woman in Modern Judaism," in his *Wissenschaftliche Zeitschrift* of 1837 (p. 1-14), that gave the first impulse to reforms in this field. There he urged the abolition of rites and practices which degrade woman and are based upon the antiquated oriental view that she is a mere chattel bought by man and, at his own pleasure or displeasure, disowned by him, or, in case of his death, transferred to another. Referring to Rabbenu Gershom's endeavor for the assertion of the principle of monogamy for the European Jewry, he demands similar efforts for the abrogation of usages contrary to the spirit of modern civilization claiming that the Talmudic rule: כל המקדש אדעתא דרבנן מקדש "Whosoever contracts a marriage, does it in full agreement with the rabbinical authorities," by dint of which marriages that were liable to lead to evil moral or social consequences for the wife were annulled by the rabbis, empowered also the modern rabbis to do the same when the civil court dissolves a marriage either by a decree of divorce or by declaring the husband or wife who had been missing for a number of years to be dead in the eyes of the law. A far bolder and more radical stand was taken by Samuel Holdheim in "*Die Autonomie der Rabbinen und das Princip der juedischen Ehe*," 1843. Here the entire Mosaic and Talmudic law concerning marriage is rejected as being based upon the ancient

[1] The term "Liberal Judaism," which some American rabbis have adopted, following the example of leading English and German Jews, implies to my mind a certain vagueness and laxity and fails to accentuate the principle of reform and progress upon the recognition of which, as the vital spirit and motive power of Judaism throughout history, the whole modern movement rests.

Jewish state and nation, which are gone forever, and absolute validity claimed only for the modern state law. It matters not whether the Talmudic maxim: "The law of the state is law also for the Jew" is correctly or, as was shown by Samson Raphael Hirsch and afterwards by Leopold Loew[1], falsely applied to marriage laws, the principle that the Jewish marriage laws have no religious character and must give way to the laws of the state henceforth formed the basis of all further reform measures. True, the rather hasty endorsement by the rabbinical conference of Brunswick, in 1844[2], of the above mentioned three articles of the Napoleonic Sanhedrin, which were not even correctly presented by Ludwig Philippson in his motion, and especially the resolution passed by a small minority, declaring that mixed marriages are not prohibited, provided the parents are permitted by the state law to raise the children in the Israelitish religion, retarded rather than promoted the reform movement. The proposed revision of all the Jewish marriage laws for which a committee, with Dr. Geiger as chairman, had been appointed, was taken up neither at the Frankfort nor at the Breslau Conference of 1845 and 1846. Of course, during the reaction which followed the year 1848, the reform movement rested until the Leipzig and Augsburg Synod of 1869 and 1871 resumed the work under the leadership of Aub and Geiger. There important resolutions were passed, one ascribing "full validity and sanction to civil marriages provided the Mosaic prohibitions be not transgressed;" another recognizing the legal decision of the civil court declaring a missing person as dead; a third one, allowing a widow who has been left with a young child to re-marry after the lapse of one year after her husband's death, and, under certain circumstances, also before that time; a fourth one, abrogating the Talmudic laws concerning marriages with proselytes as having no reference to converts from the midst of any of the Christian sects; a fifth one, abrogating *Ḥalizah* and declaring the whole Levirate law to be foreign to our religious

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[1] See Frankel's *Zeitschrift*, 1844, p 275 f, and Leopold Loew's *Ges. Schriften* III, 348.

[2] See *Protocolle der ersten Rabbiner-Conference zu Braunschweig*, 63-94; 94-98.

and social consciousness; a sixth one, doing away with the custom forbidding marriages on certain unlucky days of the year; and finally, one which came up first for discussion and characterized the half-hearted reform spirit of the Synod, declaring that "it is permissible at the marriage ceremony after the bridegroom has given the bride the ring with the usual formula: 'Be consecrated to me' to have also the bride hand the bridegroom a ring with some corresponding words." In other words, it was left optional with the bride whether she would take an active part in this important step or not. The divorce question was handed over to a commission to report to the next Synod, which, however, never took place.[1] We see here again the same dualism of law which is maintained by the conservatives adhered to in most questions. A real harmonization of the civil and religious laws, or, let us rather say, of the religious life and modern consciousness of the Jew was and is not to be attained in Europe under present conditions.

AMERICAN REFORM JUDAISM

Quite different were matters at the very outset in free America where the ancient form of tradition has not the strong hold upon the people as in the old world. The first important step toward according to the Jewish woman an equal place in religious life as to man, was taken by Isaac M. Wise in Albany when, besides having female singers in the choir, he introduced into the synagog in 1851 family pews, following the example of the church. It was, as he says in his "Reminiscences," an act of emancipation of the Jewish woman in America. The principle of equality of man and woman in wedlock was afterwards fully expressed in the resolutions concerning marriage and divorce adopted on the motion of David Einhorn and with the hearty support of Isaac M. Wise at the Philadelphia Conference of 1869. The first of these declared that the bride shall no longer take merely a passive part in the marriage ceremony, but there

[1] See *Verhandlungen der ersten Israelit. Synode* 1869, p. 246f, 259f, and *Verhandlungen der zweiten Synode*, 1873, p. 30-49, 76-158. Comp. David Philipson, "*Reform Movement in Judaism*," 435-446.

shall be a mutual self-consecration of both bridegroom and bride expressed in the same marriage formula, "Be consecrated to me as wife (resp. husband) according to the law of God" and accompanied by the handing of a ring to each other. Another one demands, in place of traditional *Birkath Erusin*, the character of which is offensive to our sense of propriety, a benediction expressive of the high moral character of wedlock and of the Biblical idea of the union of man and woman into *one* personality, which implies mutual fidelity. Still more expressive of the modern spirit are the resolutions concerning divorce and remarriage, of which the one declares divorce to be also from the Mosaic and rabbinical point of view only a civil act devoid of any religious character and, therefore, valid only when it proceeds from the civil courts, whereas the so-called ritual *Get* is in all cases invalid and ineffective. Only as a precaution against abuses and infringement upon the ethical principles of Judaism, investigation of the judicial reasons for granting the divorce is recommended to the rabbi before remarriage. The decision as to re-marriage is, in cases of the disappearance of husband or wife for a long time, also left to the law of the land. Furthermore were the laws concerning the marriages prohibited to the Aaronites as well as the one regarding *Halizah* declared as void of all significance and binding force for us.[1] All these and the previously mentioned resolutions were embodied in the Yearbook of the Cleveland convention (1890, pp. 95-120), having been adopted the year before by the Central Conference of American Rabbis at the constitution of the same in Detroit, as stated on page 4 of the same Yearbook.

Now, while we possess an excellent and almost indispensable digest in *The Jewish Law of Marriage and Divorce in Ancient and Modern Times and Its relation to the Law of the State*, written by Moses Mielziner, as Chairman of a committee appointed by the Rabbinical Literary Association of America, upon the motion of Max Lilienthal, its president, "to collect the historical and literary material pertaining to the subject," we find

[1] See *Protocolle der Rabbiner-Conferenz zu abgeh. in Philadelphia*, 1869, and Philipson *l. c.*, p. 489f.

it, as is the case with all human products after a certain time, no longer adequate to our requirements. Like Z. Frankel and Leopold Loew, whom he frequently quotes, he was too much engrossed in his Talmudic studies to take full cognizance of other views concerning the marriage rites. He was, in fact, only engaged in the work of registering and summarizing former decisions and opinions and could not be expected to present original researches on the subject. Least of all was he prepared or disposed to favor any abrogation or even modification of the Mosaic laws on the prohibited degrees or incestuous marriages such as a number of our younger rabbis would propose today. He rather favored compromises such as he offered in the Cleveland convention in his "Marriage Agenda," when he re-introduced the objectionable *Birkath Erusin* in Hebrew alongside of an altogether different English benediction.[1]

THE POINTS TO BE CONSIDERED

In order, then, to arrive independently at clear and positive views of all the pending questions, it is necessary for us to consider in the light of history the following points:

1. The status of woman, social, legal and religious, in the past and present.
2. The character, the object, and the corresponding form of marriage.
3. The dissolution of marriage.
   a—by divorce.
   b—by death.
4. Prevention of marriage.
   a—Prohibited marriages.
   b—Personal impediments.
   c—Temporary impediments.
5. Civil marriages in their relation to Judaism.

I

The most superficial glance at the ethnological facts concerning marriage, for which Westermark's "*History of*

[1] See Yearbook 1890-91, p. 41. Compare his standpoint in regard to the *Get* in the Protocol of the Philadelphia Conference (*Protocolle*, p. 28)

Human Marriage," is the acknowledged authority, shows that it is the status of woman which determines the character and view of marriage. The higher the civilization, the higher will be the position of woman in society and the nobler will be the view of marriage. Now we cannot shut our eyes to the fact that the legal status of woman was fixed for ancient Israel, and hence for Mosaic and Rabbinic Judaism, by the laws of the Code of Hammurapi, the Babylonian ruler at the time of Abraham, which became the common law of the then civilized world and fashioned more or less the practices of all adjoining tribes. However high in the esteem and love of the individual the wife, the mother or sister stood, or the prophetess or wise woman in the estimate of the nation, as woman, she lacked everything that constitutes a free personality. While only the name "*nasa isha*" (to carry a wife) indicates an original wife-capture of which the Benjamin story in Judges XXI preserved a trace, the wife-purchase as expressed in the term *lakaḥ ishah* was still practised in Biblical times (see Hosea III, 1 and 2), the *Moḥar* being originally the purchase price given to the father (Comp. I Sam. XVIII, 25) for which years of servitude, as in the case of Jacob, was a substitute. The woman was a piece of property owned by the father or brother and acquired by the husband; and, as is shown in Ruth IV, 10, as well as in the Deuteronomic law of the Levirate (XXV, 5ff.), she is in case of death of the latter transferred as chattel to the next heir, unless she has a son to take the place of the father. She has no will of her own, hence either her father or her husband can annul her vow (Num. XXX, 6-9). It is perfectly true that in her social position and influence she was far superior to her sister throughout the East or in Greece where she was locked up in the rear of the home. She was indeed "man's helpmate," as the Genesis story tells and as the story of Abigail (I Sam. XXV), or the Book of Proverbs, especially the song of the "virtuous woman," described her. Yet both polygamy, though rare among the middle classes, and the general contempt of the barren wife held woman more or less in a state of subjection.

Nor did the rabbinical law elevate her position despite the most beautiful ethical teachings contained in the Talmud

or the Book of Sira concerning the worth, the hallowing, and ennobling influence of woman, or the high respect due to her.[1] According to the Talmud which still rules Jewish life in any legal transaction and also in the marriage contract, no woman's testimony is valid and her signature under any legal document is worthless.[2] The wedding ring given her by the bridegroom is, in the opinion of the rabbis, not a mere symbol, but the actual purchase price, however small, (*Peruta*) with which she is formally bought, and it is at the husband's pleasure that she may be divorced. Thus she has actually remained a piece of property of the husband in the eyes of the law, however many palliative measures the rabbis have, in the course of time, taken to restrain the absolute power of the husband over her. She is in the view of the Talmud, even when highly esteemed and cherished, not a high end to herself, but a vessel, a child bearer.[3] Woe to her, if she fails in this. If, after ten years of marriage, she gives her husband no children, she must, says the Rabbinical Code, yield her place to another wife, either, where polygamy prevails, to have a rival at her side or, in monogamous countries, to be divorced. Only the last few centuries have become more humane in this respect.[4] Nor is she counted among the ten persons constituting a congregation for divine service or for any religious purpose[5].

It is always the woman that causes man to sin and lust after her, wherefore she must, according to the rabbinical law, hide her hair and suppress her voice of song in the presence of man, lest he be led to lewdness and evil thought.[6]

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[1] See Mielziner (l. c., 15-19); Israel Abraham's *Jewish Life in the Middle Ages*, 153f.

[2] Shabuoth 30a; Maimuni H. Eduth IX, 1-2; Josephus Ant. IV, 8-15. Only in regard to her husband's death or to the *Get* she brings along from distant lands is her testimony sufficient to allow her a re-marriage, Yeb. 87b.

[3] Sanh. 22b.

[4] Maim. H. Ishuth XV, 7.- But see Isserlin's gloss to Eben ha Ezer, CLIV, 10, after Mishnah Yebamoth V. 16; Babli 64a.

[5] Berak. III, 3; VII, 2, etc.

[6] Berak. 24a. See article on "*Bareheadedness*," in J. E. Comp. also article on the "*Covering of the Hair of Married Women*," in Geiger's *Zeitschrift*, 1897, p. 333ff. Also Lippert, *Kulturgesch.* II, 124f, Westermark, 173.

No wonder if woman was believed to stand nearer to the temptation of the serpent or Satan, and that the Jew, like the Greek and Persian, felt called upon to thank the Creator every morning that he was not made a woman.[1] Enough, we cannot consistently tolerate practises which have this low oriental view of woman as their basis. We must insist upon the equality of man and woman, especially at the marriage ceremony, and just as the bridegroom gives the ring to the bride to wear as a symbol of union for life, so should the bride hand one to the bridegroom. Conversely, a woman should be regarded as equally fit for witness at the ceremony as man if she wishes to function as such.

II

Character, Form and Object of Marriage

Marriage bears, from the beginning, in all civilizations and at all times, a two-fold character. As far as society at large is concerned, it is a legal contract; as far as it relates to the individual and the home, it has, in some way or other, a religious character. This ethnological fact has not been sufficiently considered by our Jewish scholars who are more or less influenced by the Talmudic sources and codes. The Mishnaic statute, (Kiddushin 1), declaring that the woman is acquired as property either by money, or by a written document, or by the cohabitation act states simply the legal view of *Kiddushin*—betrothal, termed also *Erusin*, corresponding to the original Anglo-Saxon, Newettung (wedding), that is, wife-purchase, which was followed later by the nuptials (*Nisuin*), called after the Anglo-saxon usage Gifta (giving away of the bride). And it was chiefly at the home-bringing of the bride that the religious character of the marriage expressed itself originally in rites performed either at the Aryan fireside or at the Semitic threshhold, as the sacred spot of the home, with the view of binding the new mistress to the guardian spirits or guardianship of the same. In the

[1] See about the three Talmudic benedictions and their parallels: "I thank Thee, O Lord, that Thou hast not made me a barbarian (*Goy*), a slave or a woman," David Kaufman, *Monatschrift*, 1893, p. 14-18.

one case, the bride was led around the fire, in the other carried over the threshold, while, at the same time, some food or drink was offered both bridegroom and bride amidst sacrifices by way of a covenant[1]. Some such religious rite the Biblical sources have in view when, speaking of the marriage covenant as a divine bond, Prov. (II, 17,) Malachi (II, 14,) and when Ezekiel (Ch. XVI), in describing the espousal of Israel by the Lord, speaks again and again of the marriage covenant as a special hallowing act. So does also Hosea (II, 21-22). It is this symbolic act of union of God and Israel which the closing words of the Birkath Erusin (Ketubot 7b), as well as Paul, in the Ephesians V, 32, have in view. A similar allusion to the same is made in the Karaite marriage act (see *Eshkol ha Kofer* 11d). Both the ring and the wine, or some kind of drink or food, have from time immemorial in various countries been used as symbols of the marriage covenant[1]. And while, in Talmudic and pre-Talmudic times down to the middle ages, the bridegroom recited, before entering the bridal chamber (*Huppah*),[2] the benediction[3] which is rather objectionable to us, it has wisely been made the general custom to have the minister, who officiated as the representative of religion, solemnize the marriage by the recital of the benedictions and the proper admonition.

Yet since each religion has its peculiar traditional forms, the modern rabbi ought not to adopt the forms or formulas of any of the Christian Churches and have the bridegroom or bride use such words as "With this ring I thee wed" or "I take

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[1] See Clay Trumbull, "*Threshold Covenant* and *Blood Covenant*," 1885. Curtis, *Ursemitische Religion*, 234f. Westermark, *History of Human Marriage*, 1890, Chapter XIX. Zimmer, *Altindisches Leben*, p. 311f. Weinhold, *Die Deutschen Frauen*, 275. Edwards, "*History and Poetry of Finger rings*," 195ff. Lippert, *Kulturgesch.* II, 144f.

[2] Compare Tobit VIII, 4-8; Ketub. 7b; Maim. Ishuth III, 24.

[3] The following is the verbal translation:

Blessed art Thou, O Lord, our God, King of the Universe, who hast sanctified us by Thy commandments and hast given us command concerning incestuous marriages and hast forbidden unto us those that are betrothed but hast allowed us such as are wedded to us by the rite of the Huppah and the Marriage Consecration. Blessed art Thou, O Lord, who hast sanctified Thy people, Israel, by the rites of the Huppah and the Marriage Consecration.

thee to be my wedded wife, respectively, husband," or lay special stress on the varied symbolisms of the ring which played during the middle ages and still play[1] an especial role in the church, but adhere instead to the traditional Jewish formula: "Be consecrated unto me by the law of God" (and if he wishes he may add, "And according to the sacred custom of Israel"). Instead of dwelling on the commonplace wisdom concerning the endlessness of the ring as symbolizing eternity, he would act more wisely if he would instead comment on the cup of wine he offers to the bridal couple as symbolizing the cup of destiny from which they will henceforth draw joy and sorrow in common, and which they can both sweeten by loving devotion. Also the benediction referring to the creation of woman as the helpmate of man and their destiny to form *one* personality, which has been in use as early as the second pre-Christian century, as is learned from Tobit (l. c.) should have its place in our modern marriage ceremony.

The fundamental Jewish conception of marriage is, that it is a sacred ordinance of God established in nature, but not, as the church rendered it on account of the term *mystery* in the Epistle to Ephesians V, 32, a sacrament. Nor is it merely an antidote against, or concession to, human sensuality and lust, as the mediaeval church regarded it from her view-point of asceticism and abstinence. Celibacy, controlled by the church and demanded of the priest and the laic saint, is deprecated and condemned by Judaism which required its high priests of yore to have a wife when performing the great atonement rite on Yom Ha Kippurim. Later on, also, the occupant of the Reader's office in the solemn days of penitence must be married.[2] Naturally, the procreation of offspring is the main object of the matrimonial union in the eyes of ancient Judaism as the divine blessing: "Increase and multiply and fill the earth" (Gen. I, 28), is taken to be the first of the 613 commandments of the Torah. Of course, the hope for a progeny was frequently expressed in popular customs, as for instance, in the casting of

[1] See especially "*A History of Matrimonial Institutions*," by G. E. Howard, Chapters VI and VII, pp. 258-284; 304; 383.

[2] Yoma 1, 1; Orah Hayim 581, 1; *Isserlin's Gloss.*

rice on the couple. Nor was it only in the Jewish law that barrenness was considered sufficient cause for divorce.[1] All the more it is desirable that the modern marriage ceremony should accentuate, in appropriate language, the higher object of the matrimonial union, and that is the communion of life for the performance of such duties and for aspirations after such ideals as are of transcendent value to humanity at large, a union of souls which is an end to itself and which should be perennial, no matter whether the same is blessed by children or not.

Another point is to be touched upon in this connection. The church, while dwelling on the words spoken to Eve, "And he shall rule over thee," wants the bride to pledge herself to *obey* as well as to *love* her husband. This state of submission of the wife, which was frequently symbolized in pagan and Christian Rome as well as in Jewish and other oriental circles by the covering or cutting of the hair (Compare I Corinth. XI, 5-14), was never accentuated in the Jewish law or liturgy. On the contrary, she was by the ethical teachings of the rabbis ever spoken of as an object of man's esteem and honor.[2]

Both husband and wife have a sphere of their own in which they should rule. The outside world with its social obligations is man's, the domestic life, woman's. And only mutual understanding and mutual consideration should guide each and not obsequiousness and lordliness.

III

The Dissolution of Marriage

(a) divorce.

While the consummation of marriage has, as we have seen, normally the character of both a legal or civil and a religious act, the dissolution can by its nature only be a legal act, over which the genius of religion can only weep as over a broken-

[1] Westermark, "*History of Human Marriage*," 491f. Howard 1. c. 234.

[2] Yebam. 62b, B. Metziah 59a and elsewhere.

down sanctuary. As R. Eleazar says,[1] "He who divorces his first wife, for him the altar of God sheds tears, for thus says Malachi (II, 13f): 'Ye cover the altar of God with tears, weeping and sighing * * *. I hate the putting away of the wife of thy covenant, saith the Lord.'" How different from other laws, such as the Mohammedan which recognized as legal any form of repudiation of the wife, however arbitrary and dictated by momentary impulses of passion or caprice, is the Deuteronomic law (XXIV, 1), which prescribes, or, more correctly, assumes as established custom (see Jerem. III, 8 and Isa. L, 1) the "handing of a written bill of divorce to her" as the legal procedure. In later times a document insuring to the wife at her wedding a dowry in case of death or divorce, the *Kethuba* ascribed to R. Simeon ben Shetah, but mentioned already in Tobit VII, 14, put a check to hasty divorce.[2] In the course of time the many minute prescriptions concerning the form of divorce document and its delivery by the rabbis further retarded and restrained the husband's action.

The principle underlying the Biblical and rabbinical marriage and divorce laws, which rests upon the oriental view inherent in polygamy that man owns his wife and can therefore send her away at pleasure, while she can not divorce him, was gradually so modified by the rabbis as to concede her certain rights in contracting and dissolving marriage to enable her to assert her claims as if she was his equal. "It was," says Amram, (*The Jewish Law of Divorce* p. 60) "by means of a legal fiction that the theory of the husband's exclusive right to give the divorce was apparently maintained, while the divorce given by him under order of the court was as much a judicial divorce as any modern proceeding of such nature." Cases in which women divorced their husbands in Herodian times, recorded by Josephus (Ant. XV, 7, 10 and XVIII, 5, 4), were simply violations of the Jewish law. The rabbis, however, found a way of redress for the wife in case of maltreatment, or of having forced upon her an undignified behavior, or of refusal of her conjugal rights by her

[1] Gittin 90b. Sanh. 23a.

[2] Keth. 82b; 10a. The written document insuring a dowry is probably of Egyptian origin. See Niezold: *Die Ehe in Aegypten*, p. 25ff.

husband, or of impotence and loathsome diseases, or of malodorous occupations of his, or in case she fails to get children (Yeb. 65b, E. H. CLIV, 6). This is done by forcing him to give her a bill of divorce together with her dowry[1], on the ground that he failed to treat her "in accordance with the law of Moses and Israel," as he promised when marrying her.[2] Only under the influence of occidental civilization, R. Gershom of Mayence of the XI century, while putting an end to polygamy in European Jewry, established also the right of the wife in divorce cases by pronouncing an anathema upon anyone divorcing his wife against her will.[3] But there is another essential difference between the Jewish divorce law and that of our modern State law, and that is of far greater significance. According to the Mosaic-Talmudic law, adultery is exclusively the breaking of the marriage vow on the part of the wife and him who has sexual intercourse with her, and this adultery is punished by the death of both. The married man who breaks his marriage vow by having sexual intercourse with an unmarried woman is a sinner, but not an adulterer. In the former case, the husband cannot condone his wife's guilt but must divorce her. In the latter case, the woman cannot compel the husband to dissolve the matrimonial bond, unless he is an habitual debauchee against whom she can bring a suit at the court[4]. Otherwise she has to remain his wife, unless he neglects his conjugal duties towards her.

Furthermore, the husband is, according to the Jewish law, his own judge as to the cause sufficient for divorcing his wife. True, the Deuteronomic law (XXIV, 1) states as cause for divorce that "He has found some matter of nakedness—*Ervath Dabar*—in her," which means some improper act, but not actual faithlessness.[5] The Shammaite school, however, as did the Sadducees and do the Karaites, understood the term as a shame-

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[1] Ketub. V, 6; VII 2-5-9-10 Nedarim XI, 12. See Amram "*Jewish Law of Divorce*", p. 54ff.

[2] Tosefta Ketub. VII, 6.

[3] Eben Ha Ezer CXIX, 6, Isserlin's Gloss. Comp. Rosenthal, in the *Hildesheimer Jubelschrift*, p. 47.

[4] Eben Ha Ezer CLIV, 1. Isserlin's Gloss.

[5] Comp. Driver's *Comm. on Deuteronomy*, p. 270.

less act in the sense of faithlessness, identifying the term with *Debar Ervah*—a matter of an incestuous nature. The Hillelites, on the contrary, whose view, however, has not been accepted by the Halakah,[1] took the word after Deut. XXIII, 15, in the sense of "something unseemly;" that is, anything that he finds objectionable, even if it is only that "she burnt the meal for him," or, as R. Akiba says, "Even when he found a woman fairer than she, whom he wishes to marry instead.[2] This view is taken also by Philo and Josephus as the generally accepted one.[3] Whether the underlying idea was that when the affection is gone, domestice peace and harmony are also undermined, as some would explain it, or not, needs not be discussed here. No doubt, we find the Shammaite view a far higher one. Thus does indeed the New Testament make divorce conditional upon her faithlessness, when Jesus in the Sermon on the Mount is made to say: "I say to you that whoever shall put his wife away for the cause of fornication, causes her to commit adultery.[4]" Now while, in the course of time, the Christian church opposed divorce altogether upon the ground that Jesus declared: "What God hath joined together let not man put asunder," and, "Whosoever shall put away his wife and marry another commits adultery against her and if a woman shall put away her husband and be married to another, she commits adultery.[5]" the Jewish law left to her husband the right to divorce his wife at pleasure, without granting her any reciprocal rights unless she could sue him for exceptional causes to obtain divorce from him.

This oriental view of the husband's exclusive power is certainly no longer shared by us. Of course, we are equally opposed to the view taken by the Christian church and Catholic state laws that admits no dissolution of the marriage bond, even in the case of adultery, except by papal dispensation. This inhibition of the dissolution of matrimony has, as statistics show in all Catholic countries, frequently led and still leads to dissol-

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[1] See Maim. H. Gerushin X, 21; Eben Ha Ezer CXIX, 3.

[2] Gittin IX, 10.

[3] Philo Mangey II, 304-313. Josephus, *Ant.* IV, 8-23.

[4] Matthew V, 32; XIX, 9.

[5] Mark X, 11-12; Luke XVI, 18.

uteness on the part of both husband and wife. Moreover, as Frankel (*"Grundlinien,"* XLIII) has aptly put it, "Whatever undermines the domestic peace should be accepted as sufficient cause for divorce."

Indeed, in the reaction against the entire church view which, on the one hand, declared the marriage to be a sacrament and therefore indissoluble, and, on the other hand, bargaining with the papal dispensations, as in other matters, looked upon marriage as a mere concession to the flesh and an indulgence of sensuality—saner and soberer views of the matrimonial state and its solution came into vogue in Protestant countries. The whole process of the ecclesiastical, the Protestant, and modern divorce law is exhaustively presented in Bishop's *History of Matrimonial Institutions.* There the reader may learn what enormous difficulties both the jurist and the moralist encounter in matters of divorce. This much, however, is certain, that there is nothing religious in the divorce. Nor could the formula: כדת משה וישראל embodied in the Jewish divorce bill (*Get*)[1] make it in anyway Jewish in a religious sense. It was, therefore, quite logical and correct when the Philadelphia Conference declared that "the so-called ritual *Get* has no validity whatsoever for us, and that the civil court is the only legal authority for us to issue forth a divorce bill." But the second paragraph of the resolution in question is open to objections. It reads as follows: "The dissolution of marriage by a civil court is also valid in the eyes of Judaism if it can be ascertained from the judicial documents that both parties have given their consent to the divorce. Where, however, the court issues a decree against one or the other party by constraint, Judaism recognizes the validity of the divorce only where the cause is found sufficient in accordance with the spirit of the Jewish religion. It is recommended, however, that the rabbi who is to officiate at the remarriage of any of the two parties, obtain the concurrence of competent colleagues." Obviously this clause was made with the view of complying with the decision of Rabbenu Gershom, "that the wife must be equally willing to dissolve the marriage

[1] Maim. H. Gerushin, IV, 12. *Get* is a Babylonian term for document. See Delitzch, *Assyrisches Woerterbuch* s. w. *Gittu.*

bond.[1]" However, the fact has been overlooked, as the footnote in the *Protocolle*, p. 35, actually admits, that our state laws refuse to grant a divorce upon the petition of both husband and wife in view of a possible collusion or connivance.[2]

The view taken by modern legislators is that marriage is not the exclusive concern of the persons married, but of the children and the state at large. Therefore the former should not be allowed to dissolve it of their own accord without the approval or decision of the court. In other words, the right of divorce is taken out of the hands of either husband or wife in order to safeguard the higher interests of society whose welfare rests upon the firm foundation of the home and the stability of marriage. And no one can deny that this view is decidedly superior to the rabbinical or Mosaic one.

But the resolution in question is unsatisfactory also from another point of view. Instead of merely recommending an investigation of the court proceedings and its bill of divorce to the rabbi who is to remarry one of the parties, leaving it optional with him to do so at a rather late time when the investigation is difficult, it ought, in the interest of the two parties, to have the divorce bill issued by the court at once ratified from the Jewish point of view by a body of rabbis, at a time when full insight into the court proceedings can be easily obtained. In favor of such a regular rabbinical attestation of the court divorce bill to be procured immediately after the court proceedings, speaks the following consideration: Says the Midrash[3]: "Great is peace, for God allowed His holy name to be wiped off the scroll in the case of the woman suspected of adultery in order that peace may be restored between her and her jealous husband." Such a privilege was indeed accorded to the rabbi of old in preparing the *Get*, since he could settle many a difficulty before the divorce was agreed upon. In the same manner could the modern rabbi exert his influence in time in favor of a recon-

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[1] Eben Ha Ezer CXIX, 6 gloss. and see Rosenthal, in the *Hildesheimer Jubelschrift.*

[2] Bishop, *Marriage and Divorce*, L, 21, VIII, Ch. 3 and 4, and Census Report of 1909, p. 26f.

[3] Sifre, Naso 12.

ciliation, if he were expected regularly to attach his approbation from the Jewish point of view to the court divorce bill. In this sense, in my opinion, should the motion of Rabbi J. Leonard Levy, made in Atlantic City, on behalf of the Committee that "rabbis should countersign divorce papers issued by the courts", be adopted by the Conference and preferably in the following form: "A body of three rabbis should attest the correctness of the findings of the court in the matter of divorce from the religious point of view of Judaism and attach their signature to the bill of divorce issued by the court.[1]"

CAUSES FOR DIVORCE

As to the causes sufficient for the granting of the divorce by the court, the laws of the various States of our country differ greatly from each other and still more from the Jewish law as fixed by the Talmud. As a matter of course, the State laws must be decisive for us. But it is to be noticed that the tendency in modern times is appreciably in the direction of restricting the number of causes. According to the Table of Statutory Causes enumerated in the Official Census Reports of 1909 (p. 268), only a few are recognized as sufficient in all the States. Adultery is sufficient in all the States. Desertion in all but New York and the District of Columbia; but in certain States a desertion for a few months is regarded sufficient which, of course, has led to great abuse and injury of the deserted wife. Another cause regarded as sufficient in almost all States but New York is extreme cruelty; also neglect to provide for the wife. The last two are considered sufficient also by the rabbinical law for a court decision. On the other hand, loathsome disease, which is deemed sufficient for the Jewish law, is not regarded as such in any of the States, and yet it ought to be.[2] In fact, here a law

[1] Of course, where the *Get* is recognized by the law of the state, as is the case in Austria, Russia and in all Eastern countries, the same possesses full validity for us, too; but an investigation of the proceedings and the correctness of the *Get* is also requested before re-marriage.

[2] I am informed, however, by my son, Max J. Kohler, that all such cases come, in our American laws, under the head of fraud; that is, *undisclosed* disease, etc., and are annulled by the court.

on Eugenics is certainly in place to protect the wife and her children. In the proposed Uniform Divorce Law, given on p. 272 of the Official Census Report, the causes stated are: Adultery, Extreme Cruelty, Willful Desertion for two years, besides Conviction of Crime and Habitual Drunkenness for two years. The causes sufficient in the rabbinical judgment for court proceedings mentioned above might induce us to include more, but at the same time restrict Desertion to the term of five years. Until the uniform code has been accepted by the various States of the land, the rabbi must by all means withhold his approbation of the court divorce bill until he and his colleagues have ascertained that the same has not been granted on loose grounds and for flimsy causes such as is absence for a time less than five years or wilful desertion.

B

Dissolution By Death

As to re-marriage in case of the disappearance and the presumption of death of one of the parties, the Jewish law widely differs from our modern State laws in so far as it would not allow the wife to re-marry unless her husband's death has been proved with certainty either by witnesses or by an unmistakable identification of the dead body. In the case of the wife's disappearance, however, no provision is made by the Jewish law; not for the apologetic reason given by Frankel, *Grundlinien* (p. 40) and others as if this was but a rare case, while the husband is frequently abroad in business affairs, but for the simple reason that the original polygamous institution of oriental life saw no harm in the husband's marrying another wife. It was, then, quite logical from the modern point of view, in the interest of the unfortunate wife who had to remain in a permanent state of loneliness (*Agunah*), to declare, as did both the Philadelphia Conference and the Augsburg Synod, that the decision whether the husband or wife is dead or lost is to be left solely to the civil court.[1] But here the State laws greatly differ as to the time for

[1] See Mielziner, 114.

re-marriage of one of the parties after the disappearance of the other. The States of Pennsylvania and Illinois require only two, Iowa and Florida three, the New England and older Southern States seven, Louisiana ten, the rest of the States five years[1].

As the term of five years is the prevailing view, this term should be made the condition *sine qua non* of the re-marriage by the rabbi throughout the country, except, of course, where the State law requires seven years of absence.

IV

PREVENTION OF MARRIAGE

A

THE PROHIBITED MARRIAGES

The marriages prohibited in the Mosaic law as incestuous occupy, whether *in toto* or *in parte*, a prominent place in all the codes of civilization and as fixed customs, to some degree, also, among the various savage tribes. The Mosaic code, however, places them distinctly above all other laws, whether ceremonial or judicial and hygienic, as preeminently important and binding upon all nations, introducing them by the following striking words: "Speak unto the children of Israel and say unto them: I am the Lord your God. After the doings of the land of Egypt, wherein ye dwelt, shall ye not do; and after the doings of the land of Canaan, whither I bring you, shall ye not do; neither shall ye walk in their statutes. Mine ordinances shall ye do, and My statutes shall ye keep, to walk therein * * *. Ye shall keep My statutes and Mine ordinances which, if a man do, he shall live by them; I am the Lord." Still more significant are the closing words,[2] "Defile not ye yourselves in any of these things, for in all these the nations were defiled which I cast out from you, and the land was defiled; therefore did I visit the iniquity thereof upon it and the land vomited out her inhabitants. Ye therefore shall keep My statutes and Mine ordinances

[1] See Census Report, p. 188.

[2] Levit. XVIII, 2-5; 24-30.

and shall not do any of these abominations * * * so that the land vomit not you out also, when ye defile it, as it vomited out the nations that were before you. For whosoever shall do any of these abominations, even the persons that do them shall be cut off from among their people * * *. I am the Lord, your God." It is evident that the law-giver wants these laws to be regarded as the very condition of the welfare of human society and the basic principle of domestic purity and sanctity. Accordingly, they found general acceptance among the entire Christian world and were embodied in the various codes. At the same time it was observed that, while such nations as the Egyptians and Persians permitted the marriage of near blood relations,[1] the Roman law had similar restrictions as the Hebrew, going even beyond them in the lines of consanguinity and affinity[2]. And it was upon the basis of both the Scriptural and the Roman law that the church elaborated her system of prohibited degrees, extending these by following the rule of analogy and adding to the physical or blood-relationship, the common milk and the spiritual—that is, common baptismal relationship. The church had her antecedents in a far more rational and moderate form in the rabbinical amplification of the Mosaic prohibitions, the so-called Soferic extensions שניות מדברי סופרים, extending them to the ascending and descending line, of whatever degree, and to one degree above the Mosaic and adding a new degree of a homogeneous character.

The Mosaic law, after having stated the general principle: "No one of you shall approach to any that is near of kin," specifies fifteen prohibitions: The mother, the step-mother, sister and half-sister, grand-daughter, the son's and daughter's daughter, father's and mother's sister, the father's brother's wife, son's wife, the brother's wife, the wife's mother or daughter; the step-son's and step-daughter's daughter, and the wife's sister during the lifetime of the former. The daughter is not

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[1] Herodot. III, 31; Spiegel, *Eran* III, 678; Wilkinson, *Hist. of Egypt*, I, 318; and comp. Philo, *De Special Legibus* III, 3.

[2] See Justinian Code, 1-10 and J. Fulton, "*The Laws of Marriage*," p. 31ff, Westermark l. c. 308. For the whole subject, see M. M. Kalish, *Comm. Leviticus* II, 354-382. "*Essay on the Matrimonial Laws of the Bible and their late Development.*"

expressly mentioned, but either implied in the prohibition of the grand-daughter or, as some modern exegetes think, omitted by some scribal oversight.

The Soferic extensions include in the ascending and descending line the grandmother and great-grandmother and so upward; the father's or mother's and paternal grandfather's step-mother, the wife's grandmother and so forth upward; likewise the wife's daughter and so forth upward; the grandson's wife and so forth downward, and the son's or daughter's grand-daughter. In the lateral line they add the grandfather's and grandmother's sisters and the paternal grandfather's brother's wife. All these extensions, however, have scarcely more than a theoretical value, and the only essential addition of practical import is the mother's brother's and the father's uterine brother's wife. Now it is of special historical interest to notice that not only the Karaites, but their predecessors, the Zaddokites (the question whether they are identical with the Sadducees or not, need not be discussed here) had, by the rule of analogy called *Rikkub*, extended the laws of incest to the niece and uncle, to the cousin and the deceased wife's sister and so forth[1]. By similar rules of analogy, the church law extended the Mosaic prohibitions to relations of consanguinity and affinity within the fourth degree, so that second cousins, the deceased wife's sister or niece, and the widow of any kinsman to the fourth generation and the wife's kindred to the third generation were prohibited, and, as adoption is regarded as blood-relationship in the Roman law, the marriage of an adoptive sister was also prohibited as incestuous.[2] The church canon took it for granted that the marriage between uncle and niece bears by analogy the same character as the one between aunt and nephew, and this latter being expressly prohibited so is implicitly also the other. Again, as the deceased brother's wife is expressly prohibited by the law as incestuous, so is the deceased wife's sister. Strange that M. M. Kalish, in his valuable commentary to Leviticus (p. 363) takes that same

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[1] See Anan, *Sefer ha Mizworth* in Harkavy's *Likkute Kadmonioth*, p. 90-109, and compare Schechter, "*Documents of Jewish Sectaries*" XXXVII, with Geiger, *Nachgelassene Schriften* III, 265, 307f.

[2] Fulton l. c., p. 65.

view as Jewish interpreter of the Mosaic laws as did the Sadducees and Karaites to whom he also refers.

Under Queen Elizabeth, in 1563, a Table of Prohibited Degrees had become "God's law" for the Anglican church in which thirty relatives were enumerated for man and, correspondingly, for woman as forbidden to marry. Similar laws were in force in Luther's time in Germany. In 1603 the statute of Henry VIII, on the prohibited marriages, was so interpreted by both the church canon and the common law as to prohibit all marriages between relatives in the ascending and descending line *ad infinitum* and in the collateral line to the third degree. Upon this interpretation rested the laws also in the new country. However, with the introduction of civil marriages first in Holland and then in England and Germany, a more rational interpretation and application of the Mosaic and Ecclesiastical Marriage Prohibitions came in vogue, and consequently the various state laws underwent a change. According to the greater or lesser dependence upon the old Anglo-Saxon church law, which formed the basis of the American common law, the different statutory laws concerning the prohibited degrees were, then, in the course of time, adopted and modified by the States of the Union. The difference between these is striking. Not to speak of such incestuous marriages as are abhorred by the natural instinct of man, as are those between parents and children or brothers and sisters, there are a number of marriages prohibited by many State laws which are permitted, if not even encouraged and recommended according to the Jewish law and tradition; while marriages that are prohibited by the Mosaic law are permitted by the State laws.[1] Here, then, the question

[1] Frankel, in his *Grundlinien*, XIX, goes even so far as to say that the state law which prohibits Jews from marrying their niece, interferes with their religious conscience, inasmuch as the Jewish authorities regard this marriage as especially meritorious. (See Jebam, 62b; Gen. R. XVIII, 5. Compare also Krauss, *Die Ehe zwischen Onkel und Nichte*, in "*Studies in Jewish Literature*" (Kohler, *Festschrift*, 165-1 F5). This view, however, can no longer be maintained by us. The Talmudic maxim: *Sekanah adifa me izura* "Questions of physical danger put the question of ritual law in the background" holds good here. The majority of authorities regard consanguineous marriages as injurious to the offspring. (See Westermark, l. c., 340-343 and 345).

arises, how far should a harmonization between the two views and practices be effected by us on general principles? Of course, the law of the State is supreme, but should marriages forbidden in one State be performed by the rabbi in another? Or should the laws of our State have sufficient power and authority for the modern rabbi to sanction a marriage declared as incestuous by the Mosaic or Jewish law? These are certainly serious questions, and, in order to arrive at an intelligent and unbiased solution, we must ascertain first the facts concerning the prohibitions or permissions in our various State laws of marriages, regarded adversely by the Jewish law, and then investigate, as far as we can, the reasons which in all probability guided the sacred law-giver on the one hand and the modern legislators on the other.

The following are the interesting facts as presented by the official government report in its Digest of Marriage Laws of the Different States, p. 200-263:

According to this, the marriage between uncle and niece is like the one between aunt (that is maternal as well as paternal and including also the uncle's widow) and nephew, and is everywhere (contrary to the Mosaic law) prohibited as incestuous; and so, in 19 against 22 States and Territories, is the marriage of cousins. The tendency to extend the prohibition of the latter over the whole country is shown in the legislature acts, for instance, of Louisiana in 1900; of Illinois, 1887; Mississippi, 1889; Michigan, 1903. On the other hand, the marriage of the deceased brother's wife is, contrary to the Jewish law, as little prohibited as is the deceased wife's sister. Here, then, the question arises, how far should the view and practice of our country influence our attitude as rabbis? Of course, it is self-evident that marriages prohibited by the law of the State are prohibited to us also from the Jewish point of view, unless the Jews are specifically excepted, as is the case in Rhode Island. Consequently, no rabbi should go out of his State where consanguineous marriages are prohibited to officiate in another State at the marriage of a cousin in order to evade the law of his own State. But the question is, whether consanguineous marriages should not, from the modern, or from the American point of

view, be declared by this Conference as altogether forbidden and to be avoided and voidable.

Before taking up, however, this question of prohibiting, on behalf of modern Judaism, the marriage of cousin and of niece, though in contradiction to traditional Jewish practices and views, the other question comes up for consideration which has already been touched upon several times in our discussions at various Conferences, particularly in connection with my reports on Responsa a year and two years ago. And that is, whether we, as reform rabbis, have the power of abrogating such prohibitory laws of marriages as are classified among the laws on incest in Mosaic and Rabbinical Judaism, but are no longer held to be such in the modern, especially in the American, view. To this class belongs the marriage of the deceased brother's widow, whether she has been left with children or not. As I remarked two years ago in my report on Responsa, this matter is too serious to be decided by one single rabbi, however eminent in learning or position, as it involves the question of the legitimacy of the children, the question of bastardy —פסול ממזרות— from the viewpoint of the Jewish law. In order to arrive at a clear and basic standpoint from which the principle of reform might be applied to the Mosaic-Talmudical marriage laws, it seems necessary to examine the various explanations and characterizations of these laws given at various times by Biblical exegetes, philosophers and students of history and ethnology.

There is a remarkable passage in the Sifra on this very subject of prohibited marriages which cannot but clarify our view. After having declared at the start that the non-Jew as well as the Jew is bound to observe the laws concerning incestuous marriages[1] and their great importance as typical for the acceptance of the belief in the Only One and holy God has been dwelt on at length, we are told that, like the fundamental laws on justice, on the sacredness of life and of the name of God, so are the laws on incest dictated by human reason and the consensus of man, and different altogether from the dietary and the ritual laws which the heathen world and the evil spirit of insub-

[1] Sifra Aḥare 13. איש איש להביא את הגוים שיהיו מוזהרים על העריות כישראל

missiveness find fault with.[1] Our ancient sages, then, did not view these laws on incest as ordinances that are to be blindly accepted without inquiry into their reasons, but they should be treated like all moral laws of a universal character and intrinsic truth. We have accordingly the right and the imperative duty to investigate the reasons and origins of these laws, and should we find that conditions and views have modified these laws in the consciousness of men, we may as reform rabbis claim the right of abrogating those that are no longer in harmony with our modern views.

Before mentioning Philo as the first Jewish writer who endeavors to comment on these Mosaic laws on incest from a philosophical and universal viewpoint, Plato must be quoted for having said that "an unwritten law which is a most perfect safeguard keeps brother and sister as well as son and daughter from an open or secret sexual intercourse.[2]" Philo is the first to offer as reasons for these prohibited marriages both the so-called *horror naturalis*, the innate abhorrence of an intercourse with blood-relations and the *respectus parentelae*, that is, the natural regard for persons identified with the parents through matrimonial union. The latter works as affinity both upward and downward as well as sideward, and keeps men from sexual intercourse with the daughter-in-law or mother-in-law, step-daughter and step-mother, step-sister, sister-in-law, and brother's wife, and, correspondingly, keeps women from such affinities. The marriage relation should be based on an affection totally different from blood relationship, and the Mosaic prohibitions are intended as safeguards against moral depravity.[3] This latter rationalistic view is also expressed by Saadia[4] and Maimon-

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[1] Sifra 13, 10, אלה הדברים הכתובים בתורה שאלו לא נכתבו בדין היה לכתבן בגון הגזלות והעריות וע"א וקללת השם ושפיכת דמים
R. Eleazar b. Azaria's view at the end of Sifra *Kedoshin*, which is indorsed by Maimonides, *Shemoneh Perakim* VI, is different, but this is no reason for correcting our passage in his sense as Leopold Loew, *Eherechtl. Stud.*, p. 99, note 3, would like to do, as the mention of the incestuous marriages can not have been altogether omitted here.

[2] Laws VIII, ch. 6.

[3] *De Special Legibus* III, 3-5.

[4] Emunoth We Deoth III, 2.

ides. The latter suggests another more physiological reason, besides. "It is against nature," he says, "that root and branch, that is parent and child, should have intercourse, neither should they co-mingle in a third person such as the wife's mother or daughter, or the father's or son's wife and the wife's sister. In some instances the relatives are considered *one person*, such as the mother's or father's sister; in other instances, not, such as the daughter of the parents' brother or sister; wherefore a man may marry his niece, but not his aunt, because, being more frequently in his uncle's house, his wife is to him like his own brother's wife; whereas, he is less frequently in the nephew's house and he is therefore less familiar with his nephew's wife.[1]

Complicated as this and similar explanations of the prohibited degrees are, we find Juda ha Levi[2] taking them as social or universal laws as to the general principle but as particularistic statutes in regard to the specific prohibitions. All these explanations, however, bear the character of theories and hypotheses, not of established facts; and fail to take cognizance of the conditions and environments of the Biblical and rabbinical legislators. The fact must not be overlooked that the oriental view of the predominant power of man and of the submissiveness of woman may have influenced these prohibitive laws which discriminate between the marriage of uncle and niece and that of aunt and nephew in favor of the former and against the latter. Our modern ethnological studies, the best and most recognized authority of which is Westermark, have thrown new light on the whole subject, and we can no longer isolate the Mosaic laws on marriage from the laws and customs of other nations and tribes, whether civilized or not, whether Semitic or Aryan. It is generally acknowledged today that the desire to go out of one's own tribe to carry off or to purchase a wife, the so-called exogamic practice, gave rise to a far more extensive line of prohibited degrees than was adhered to upon the higher stage of civilization when a certain homogeneity coupled with heterogeneity was aimed at, and certain physiological and social experiences led to the adoption of guiding principles

[1] Moreh III, 49.

[2] Cuzari III, 7, 11.

in the determination of marriages to be shunned and abhorred. Hence the similarity in general of Hindoo and Roman, of Arabic, later on, Mohammedan, and Mosaic prohibitions, whereas there is a difference maintained in detail as in the case of consanguineous marriages or the marriage between uncle and niece which were forbidden to the ancient Romans.[1] Thus our ethnological science offers substantial support to the religious concept of the Levitical laws on incest in general, while, at the same time, it places them into the category of universal, social, or moral laws, leaving it to our own judgment how far they must be binding for us. And there comes our physiological knowledge to our aid to determine the intrinsic value of the Mosaic-Talmudic prohibitions. Now the theory advanced, for instance, by Ludwig Philippson in his Bible Commentary, we find occasionally accepted by primitive tribes, namely, that the male is the procreative element while the female is only the receptive one; therefore the relative of the father is regarded as closer blood relation to make the marriage incestuous than that of the mother. Still it does not stand the test of modern physiology which, on the contrary, ascribes the main function of the life of the species to the female. Moreover, careful observation of the results of procreation in animal as well as human offspring has established the fact that too close relationship is in many cases detrimental to the soundness and vigor of the offspring, whereas the new and foreign element works as a healthy stimulus for the species. We may, accordingly, come to the conclusion that just as the Mosaic laws have been amplified by the Soferim by the addition of the mother's brother's wife to the list of prohibitions in the correct recognition that the maternal uncle is as close a blood relation as is the paternal uncle, so should we, and, in fact, with greater justification, amplify from our modern point of view, the Mosaic-Talmudic prohibitions and include the niece as well as the cousin, both being blood relations, the matrimonial union of whom should be avoided on physiological and, in America, on social, if not legal, grounds.

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[1] Westermark, "*History of Human Marriage*," Ch. XIV-XVI; Howard, *Matrimonial Institutions*, I, 125ff. (See note 1, p. 359).

On the other hand, we cannot shut our eyes to the general observation that, in the public opinion, the deceased brother's wife stands to the brother-in-law in the same relation as does the deceased wife's sister. The layman not versed in the Jewish law and practice fails to see why the marriage of the one is perfectly legitimate and under circumstances even advisable, as, for instance, where there are children left by the wife which would probably be looked after by the sister as the second wife, and why the marriage of the other should be regarded as incest, especially so when there are children left by the brother.

As I stated before, the question was a matter of bitter controversy between Dr. Einhorn and Dr. Cohn, of San Francisco, when finally Dr. Wise married the couple, taking the stand that according to the Mosaic law the marriage would have been not merely legitimate, but imperative. A private letter which I then had from Dr. Geiger showed me that Dr. Geiger sided with Wise against Einhorn.[1] The stand taken by David Einhorn, Samuel Hirsch and B. Felsenthal was that since the Levirate marriage is no longer in force with us, the prohibition of the brother-in-law's widow remains just as if the same had children, in which case the marriage is incestuous. Dr. Cohn and Dr. Wise, however, asserted that the law of Levirate shows that there is no incest in the case of the widow's childlessness and so they were permitted to solemnize the marriage. However, it can hardly be said that there is great consistency in this view. Either the Levirate law is in force, otherwise the marriage is incestuous from the Mosaic-Talmudic point of view or the entire law prohibiting the marriage of the deceased brother's wife as incestuous has, together with the Levirate law, lost all meaning and binding force for us, and the brother-in-law may marry his brother's widow as he may marry his deceased wife's sister.[2]

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[1] See *Jewish Times* IV, 1872, p. 139; pp. 178-439, *American Israelite* and *Deborah* July 12, 1872.

[2] The Chinese law declares also the marriage to the deceased brother's wife to be incestuous and to be punished with death by strangling, whereas the marriage to the deceased wife's sister is regarded as especially honorable. (See Westermark, 1. c. 309). About the Levirate marriage in Jewish law, see also Israel Mattuck in "*Studies in Jewish Literature*," (Kohler, *Festschrift*, 210-220).

To be more explicit, the question from the Mosaic-Talmudical point of view is not whether the marriage of the deceased brother's wife is permissible or not, but whether in case the brother died without leaving a child—the Mosaic law has only "a son"—the marriage is an imperative duty on the part of the surviving brother from which he can be released only by the *Halizah* act, or whether the same is forbidden as incestuous. The critical-historical view which assigns the Deuteronomic law concerning the Levirate[1] to the time of King Josaiah, while it assigns the law in Leviticus which prohibits the marriage of the deceased brother's wife twice unconditionally[2] as incestuous to the so-called priestly code of post-exilic time, cannot be considered here. For, even though it be admitted that the priestly code intended to do away with the ancient institution of the Levirate, the actual Jewish law retained it and, besides, Judaism is based upon the Mosaic law as an undivided whole. The discrepancy between the law in Leviticus and the Deuteronomic law is, upon the traditional basis, therefore, so explained that the latter simply states an exception in the case of the widow's childlessness from the general prohibition.

Nevertheless, it is important to notice that the Samaritans, who, as a rule, represent the older practice, following the Sadduccees, applied the Levirate law only to the case when the brother died when the woman in question was only betrothed to him and not his real wife, declaring that otherwise the surviving brother would commit incest in marrying her[3].

The Karaites, who are more or less closely connected with the old Samaritans, went so far as to declare the whole Levirate law to be no longer in force, in view of the changed conditions in the exile, and some of them would apply the law only to the betrothed ones while taking the term "brothers" with reference to the story of Boaz and Ruth, in the wider sense of relatives. But also in the rabbinical tradition, the ancient institution of the Levirate underwent an essential change owing to the altered social conditions. Not only were the words "son" in verse 5 and

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[1] Deut. XXV, 5-10.

[2] Lev. XVIII, 16 and XX, 21.

[3] Jer. Yebamoth L, 6.

"first born" in verse 6 differently explained, but the original obligations to marry the brother's widow was, as can be learned from the Mishna and the Talmud of Yebamoth, more and more limited by all kinds of obstacles the rabbis could possibly discover. Nay, the Ḥalizah act itself was given a new meaning, that of a release of the widow rather than that of the surviving brother; while the incestuous character of the marriage with the deceased brother's wife was more and more accentuated. Most remarkable in this respect is the opinion expressed by Abba Shaul[1], "He who marries his deceased brother's wife on account of her beauty or of her possessions commits an act of fornication and the issue of such a marriage comes near to bastardy." And this very opinion has been adopted in the Mishna[2], "In the former days the Levirate marriage was considered as preferable to the Ḥalizah, because the marriage was entered into with the sole purpose of fulfilling the law, but nowadays, when this pure motive no longer prevails, the Ḥalizah is preferable." At a later time the Levirate marriage was again declared to be preferable[3], and this view was adopted in the Codes. Only in consequence of Rabbenu Gershom's interdict of polygamy for the occidental Jewry was the Levirate marriage finally abandoned and the Ḥalizah took its place[4].

This, however, is certain that unless we restore the Mosaic law enjoining the Levirate marriage as an imperative duty and insist on the Ḥalizah act in case of a refusal, the marriage of the deceased brother's wife remains under all conditions forbidden according to the Mosaic-Talmudical law. There is then but one alternative: Either we accept this law under all conditions, whether the widow has a child by her former husband or not, or we consult our own religious and moral consciousness in the matter which finds no distinction between the relation of the deceased brother's wife to the brother and that of the deceased wife's sister to the brother-in-law, since the idea that man and wife are to be "as one person" applies equally to both.

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[1] Tos. Yebam. VI, 9.

[2] Bekoroth I, 7.

[3] Yeb. 39b.

[4] See Loew, l.c. 74-78.

It seems to me that we should, after due consideration of all the questions involved, amplify the list of prohibited marriages as the Soferim did and include the marriage of the niece and that of cousins as blood-relations;[1] and, on the other hand, declare that from our modern viewpoint the marriage of the deceased brother's wife is no more incestuous than is the marriage of the deceased wife's sister.

In making these important recommendations, which aim at an essential reform of the Mosaic-Rabbinical laws on the prohibited marriages, I wish to make my point of view as clear as possible. I always held and still hold the marriage laws of the Mosaic code, with their sharp denunciation of the abominable character of these incestuous marriages, as being of the utmost importance, they having contributed much to the stability and purity of the domestic life not only of the Jew, but of civilized mankind. Nor would I have any rabbi of modern views treat any of these prohibitions with levity, and disregard the sacred traditions and practices of the past, assuming the right of deciding questions of such vital significance single-handedly without consultation with experienced and learned colleagues. However, the matter for consideration, as I understand it, is whether the Mosaic laws which, as a comparison of the facts of Israelitish history and the Deuternomic law (XXVII, 20-24) with Leviticus XVIII and XX shows, have gone through a process of growth and development like any other Mosaic law, are to remain for us ever the same only to be amplified by the Soferic extensions or whether we modern rabbis have also the right and the duty to alter or modify them according to the best of our understanding and in accordance with our moral and religious consciousness. Now it seems to me that the list of prohibited relations, the characterization of which might best be expressed in the German term *Blutshande*, the Hebrew *Toebah* (abomination), ought from the standpoint of modern investigations, physiological and ethnological, be enlarged. While the advisability and healthiness of consangin-

[1] See especially the noteworthy paper by Hartogensis in the Yearbook of the Charlevoix convention (Vol. XX, p. 128-132).

eous marriages are in themselves still a debatable question, certainly it is amply corroborated that in case there is the slightest trace of defect or ill-health in the family of one of the parties, the evil consequences of the marriage are aggravated in their descendants to engender physical and mental disabilities. And the same is, in a still larger degree, the case with the marriage between uncle and niece. It is always the co-mingling of root and branch which is obnoxious and injurious. Quite different is the case of such affinities as exist in the marriage of the sister-in-law on the wife's side or the brother's side. Here the general trend of opinion is favorable to the marriage, and we need not feel bound by the letter of the law, but should rather penetrate into the spirit of the same.

It should be superfluous to state that according to both the Jewish and the State laws, the half-sister and the mother's or father's half-sister belong to the prohibited degrees, whether the statute of the State law expressly states it or not. The same holds good also in regard to the step-mother or step-daughter which, in some American States, are not among the prohibited degrees.

Personal Preventions of Marriages and Eugenics

According to the rabbinical law, the wife can force her husband to divorce her in case he is notoriously dissolute; or physically incapacitated to beget children;[1] or in case he is an inveterate transgressor. Upon the same principle the duty devolves upon the rabbi who is to perform a marriage ceremony to ascertain beforehand whether the conditions for a healthy state of marriage exist or not. Certainly he ought, by no means, lend his hand to a marriage concerning which well-founded doubts as to the moral soundness of the candidate for marriage exist. As to the requirement of a medical certificate of cleanness, there is still a wide difference of opinion among experts as to the wisdom or feasibility of the method, in view of the

[1] *Eben Ha Ezer* CLIV, 1, Isserlin's Gloss 7. See especially Nedarim XI, 12.

fact that the determination of the young people to marry may find many ways to evade the law. That Judaism has at all times inculcated principles of personal purity and never countenanced a double standard of conduct for husband and wife either during or before the marital state needs no specific declaration on the part of a body of rabbis.

DEAF AND DUMB

Dr. Mielziner devotes a special paragraph (par. 34, p. 70) in his book to the incompetency of persons that are deaf and dumb to contract a valid marriage, referring to Yebamoth XIII; Gemarah 112b; to Maimonides *H. Ishuth* IV, 9; and *Eben Ha Ezer* XLIV, 1. Only in the footnote he states that according to the modern State laws such persons are competent to contract a valid marriage, and subsequently he refers in the same note to some learned rabbis, "in whose opinion this Talmudic view should no longer be maintained for the reason that the deaf and dumb of our days have been sufficiently educated so as to be able to communicate their ideas in writing as well as in audible words." The rabbis quoted from Leopold Loew's *Ben Chanania*, Vol. I and II, are Hochmuth, Dushak, Back and Leopold Loew.

As a matter of fact, Dr. Mielziner ought to have distinctly stated that the Talmudic view which places the deaf and dumb among the class of idiots and, therefore, declares them as incompetent either to enter any contract or to serve as witnesses in any legal act is no longer tenable in our time when the rationality and intelligence of these persons has been proven in a most remarkable way. As the matter has, to my knowledge, never been brought before any rabbinical body, our Conference ought to pass resolutions to the effect, that the Talmudic laws concerning the incompetency of deaf and dumb persons either to contract a marriage or to give sign as witnesses to any document are based upon an erroneous view and are of no validity for us.[1]

[1] Dr. Lauterbach calls my attention to Yeb. XIV, 1, where a woman's sign giving (*Remizah*) is recognized. Still, she is not treated there as a perfectly normal person either.

Temporary Preventions of Marriage

Dr. Mielziner's book devotes three paragraphs of Ch. VIII (p. 61-63) to Temporary Impediments of Marriage. In the first one, he states the rabbinic law which prohibits the widow within the ninety days after her husband's death and likewise a divorced woman within the same period from the day on which she has received the divorce document to enter another state of wedlock. The reason for this prohibition is to prevent any uncertainty as to the paternity of the first child born in the second marriage. And this provision of a ninety days' interval has been extended by the Talmudists also to cases, where there could have been no presumption of the wife's pregnancy at the first husband's death or at her divorce. See Yebamoth IV, 10, 41b; Maim. *Gerushin* IX, 18. *Eben Ha Ezer* XIII, 1.

This wise law based chiefly upon what is called *turbatio sanguinis* in the Roman law where the lapse of ten months is required, has been accepted in modern legislation, such as the French law, where the ten months' interval is required, and the Prussian law where a whole year's interval is required for the widow; but, strange to say, has not been considered in any of our American State laws. I do not find it mentioned in the official census report, either. As Dr. Mielziner correctly says, while referring to Bouvier, Institutes I, 291, and Law dictionary, article "Widowhood," the law ought to have a place in our statute books as being a law of decency. Certainly the rabbi is bound to uphold this ancient Jewish law and extend the ninety days' interval to ten months, unless urgent reasons make it advisable to restrict the time to ninety days. A resolution of this character ought to be passed by our Conference and at the same time should the desirability be expressed of having this law embodied in the Uniform Code of Marriage and Divorce.

Regarding Elopements

Dr. Simon calls my special attention to the fact that a number of States would not consider a marriage valid without the consent of the parents. In view of this and in order to give

expression to what has become a leading maxim of the Jewish rabbis, especially in reform congregations of America, I would lay down the principle that no rabbi should perform the marriage ceremony without being assured that the matrimonial union he is to solemnize in the name and with the religious sanction of Judaism will not constitute a real break in the chain of family life. Should the consent of the parents or the nearest relations of the one or the other party be persistently withheld, he should lend his hand to the marriage only after he is satisfied that the parental refusal to give their consent to the same is not based upon moral or other weighty grounds, and that, as the representative of Judaism with its sacred traditions of a pure and sacred home life, he feels justified in solemnizing the marriage. Particularly should he, in case the bride and bridegroom are personally unknown to him, insist on having as witnesses persons known to him for their reliability and integrity of character. By no means should he, as is done by many non-Jewish ministers, perform the ceremony of marriage when the couple comes to him without previous information and due instruction.

CIVIL MARRIAGES IN THEIR RELATIONS TO JUDAISM

Ever since the declaration of the Napoleonic Sanhedrin, the civil marriage is recognized by the authorities of Judaism as perfectly and absolutely valid, even when it lacks the consecration of the Jewish religion by its special rite of solemnization. Accordingly, in my report as Chairman of the Committee on Responsa last year (see Yearbook, XXIV, p.154), I took the stand that a non-Jewess, married legally to a member of the Jewish community, may be buried in a Jewish cemetery upon the lot owned by her husband and *vice versa*, provided, that both the funeral and the tombstone bear the character demanded by the Jewish faith. A resolution to this effect should be passed by the Conference.

There is, however, another point of a more serious character to be considered in connection with civil marriages. This is in regard to the offspring of marriages regarded as legal by

the state, but not permitted from the point of view of the Jewish religion. According to the Jewish law, the marriage between Jews and non-Jews which necessarily lacks the religious sanction is, just as the Catholic religion declares it, like concubinage, and the children follow the status of the mother[1].

[1] The statement in Friedlander's *The Jewish Religion*, quoted above, that the offspring of mixed marriages is, from the view-point of the Jewish law, "illegitimate," is *not* correct. As a matter of fact, mixed marriages come into the category of those marriages of which either of the party lacks the capacity of contracting a marriage אין קידושין תופסין and where, accordingly, the child follows the status of the mother. (See Kiddushin III, 12, and Yebamoth 45b according to Rab, the Halakah being that the child of a non-Jewish father and a Jewish mother is a legitimate Jewish child (*Eben Ha Ezer* IV, 19.) The opinions in the Talmud, however, differ as to whether the offspring is *Mamser* or not (see Geiger's *Urschrift* p. 54 and 351). And so there is among the ancient Tannaim already a wide difference as to the meaning and extent of the character of *Mamser* (bastard) of whom the Deuteronomic law XXIII, 2, says: "A bastard may not enter the congregation of the Lord, not even to the tenth generation." The word, which only occurs again in Zech IX, 6, in connection with the Philistines, is obscure as to its etymology and meaning. The Septuagint and Vulgate take it as denoting one born in harlotry. And this is the opinion of R. Akiba, Yeb. 45 a; Kidd. 75b; and Yer. Yebam. IV, 15 and Kidd. III, 12. Comp. *Sifre Deut.* 248, whereas R. Simeon ha Temani and R. Joshua b. Hananiah declare *Mamser* to be the offspring of such incestuous marriages as are either under the penalty of *Kareth* or of death by the court, and their opinion became the accepted Halakah, according to which children born of adultery or of the prohibited degree are bastards, but not those born out of wedlock. That the former class of children must suffer for the sin of their parents seems to be quite in order, as we cannot help looking upon them as if they were lepers for whom we feel pity, but must keep from leading the race to degeneracy and corruption.

Quite different is our attitude to children born of marriages not regarded as incestuous by our State laws and consummated according to civil law. Here we cannot afford to apply the rigid measure of the Jewish law and exclude the innocent children from marrying into ordinary Jewish families. As a matter of fact, the rabbis themselves felt the need of a revision or of practical modification of the entire law regarding the *Mamser*, when they looked for methods of rehabilitating the family of the *Mamser* by having him marry a slave the son of whom could be made a freeman and then marry a Jewess (Kidd. 69a; comp. 71a). We can see a moral taint in marriages that are against nature and the order of life and cannot help looking with some feeling of shudder and revolt against the unfortunate offspring of such, but we cannot see any moral taint in children born of marriages that are not condemned by common consensus as abomination.

However, with all our insistence on the religious sanction of the marriage relations and the necessity of a pure undivided Jewish home life, we cannot afford to ignore the legitimacy of the children. And, as the majority of rabbis against R. Akiba in Yebamoth (44b) declare the forbidden marriage is *Toebah* (abomination), but *not* the innocent children, so we, too, must insist upon the unimpaired purity and legitimacy of the children. And the same standpoint we should also take in those more serious cases of prohibited marriages in which the civil law refuses to rob the children of their claim to recognition as the offspring of a legitimate marriage. However strict or rigid we may be in prohibiting such marriages as are declared incestuous by the Jewish law, we shall and must hold our protecting arms over the innocent children and endeavor to win them for a pure Jewish life, no matter what taint the parental marriage has cast upon their origin. The great mission of the prophet Elijah before the arrival of the Messianic Era, says the Talmud, is to purify the house of Israel and bring those that are far off nigh and to declare those that are under the cloud of impurity to be pure, and so bring the hearts of children nigh to the parents and the hearts of parents to their children. (Eduyoth XIII, 7.)

RECOMMENDATIONS

In order to make this paper of practical value, I herewith offer the following recommendations:

1. The Central Conference of American Rabbis should declare that the Jewish woman be regarded religiously as the equal of man, and, therefore, if she so desires, be considered a full member of the congregation with every right and privilege connected therewith; that she may serve as witness to any legal act and that her signature under the marriage certificate be considered as valid in the eyes of Judaism today as is that of man; furthermore, that the bride at the marriage ceremony hand a ring to the bridegroom while reciting the marriage formula after the bridegroom has given her the ring with the accompanying marriage formula.

2. The *Marriage Formula* should bear the distinctly Jewish character as hallowed by tradition and recited by both bride

and bridegroom while they give the ring to each other in the words: Be consecrated unto me as wife (husband) according to the law of God and the faith of Israel." That in place of any symbolism in connection with the ring, as is the custom of the church, the rabbi should utilize the cup of wine handed to the bridal couple as symbolic of the cup of destiny from which they henceforth draw life's joys and sorrows in common. Furthermore in continuity with Jewish tradition, the opening or closing words should contain some allusion to the story of *Adam and Eve* expressive of the idea that "Man and woman shall be *one flesh*."

3. Inasmuch as the civil courts in many States often grant a divorce in cases where, from the religious view of Judaism, objections might be raised, a body of three rabbis should attest to the correctness, from the Jewish point of view, of the findings of the court in matters of divorce, and attach their signatures to the bill of divorce issued by the court.

4. The Central Conference of American Rabbis should declare that among the causes sufficient for granting a divorce besides Adultery and Extreme Cruelty, there ought also to be enumerated *Loathsome Diseases*, as the Jewish law has it.

In regard to Wilful Desertion, *five* years instead of two should be made the rule; and no rabbi should officiate at the re-marriage before the lapse of five years of absence of either husband or wife, even after the court has dissolved the marriage.

Also in cases of the disappearance of either husband or wife, only after the lapse of five years should a re-marriage by the rabbi be allowed.

5. The list of prohibited marriages should be augmented in the direction of blood-relationship, and include the marriage of cousins and of the niece, in consonance with the laws of a large number of our States and the general trend of public opinion in these days which regard consanguineous marriages in many respects as obnoxious and injurious.

On the other hand, the list of Mosaic prohibitions of marriage declared as incestuous should no longer include the case of the deceased brother's wife, in view of the fact that the Deuteronomic law of Levirate contradicts the conception of in-

cest as is given it in Leviticus. This question should be made the subject of further consideration and consultation with the view of modifying or abrogating the law.

6. Persons that are deaf and dumb are in our view perfectly equal to others in rationality; and the ancient law concerning their incompetency as to contracting marriage or as witnesses no longer has any value and binding force for us.

7. The Jewish law prohibiting a widow or a divorced wife from remarrying before the lapse of ninety days after the death of or after the divorce from her husband, should by all means be upheld by the modern rabbi; but instead of ninety days, the law prevailing in European countries which requires ten months or a full year ought to be placed on our statute book and observed by the modern rabbi.

8. In view of the fact that the civil marriage is fully recognized by us also from the Jewish standpoint as valid and binding, we ought to recommend that a non-Jewess married legally to a member of the Jewish community may be buried in a Jewish cemetery upon the lot owned by her husband, and *vice versa*, provided that both the funeral and the tombstone bear the character demanded by the Jewish faith and have no symbol or rite of another creed.

9. The offspring of marriages that are regarded as legal by the law of the state, but could for one reason or the other not receive the religious sanction of Judaism, should in no wise be regarded as illegitimate, but should be brought up as Jews and come under the hallowing influence of the Jewish religion according to the principle of Hillel: "Love your fellowmen and bring them nigh to the Torah."

J

THE HARMONIZATION OF JEWISH AND CIVIL LAWS OF MARRIAGE AND DIVORCE

RABBI ABRAM SIMON

The harmonization of the Jewish laws of marriage and divorce with the statutes in our various States is a task far beyond my present powers or the purpose of this paper. To do justice to such a theme would call for a history of the marriage and divorce laws of Israel from the Biblical through the Talmudical eras; would include the discussions and amendments from the days of the first Synod (1025) to the Philadelphia Conference; would necessitate a knowledge of all the laws in our forty-eight States, and would finally call for some method of interpretation of the divergencies thus revealed. This paper presupposes that Dr. Kohler has covered completely the history of the Jewish law and tradition on marriage and divorce; and I shall only attempt to pick out some of the salient instances of the Jewish laws which seem to conflict with the American laws or are out of harmony with the spirit of American institutions. The more I study the problem in its vastness, complications and far-reaching importance, the more am I convinced of the necessity of transferring an adequate consideration of this whole subject to a Commission of Jewish scholars. My purpose is to present a few outstanding instances wherein no one of us will assume the responsibility of speaking for all Israel.

I

My first task is to ask if we ought not seek for some method of interpretation by which all seeming discrepancies may be wisely reconciled. It is a very easy thing to absolve oneself by the sentence, "*dina dimalchutha dina*" (Gittin, 6b), "the law of the land is supreme." In the Cleveland Conference of

1855, one of its guiding principles was, "Statutes and Ordinances, contrary to the laws of the land, are invalid." Does this mean that in every discrepancy between the Jewish law and the state law wherein we should consider the Jewish law ethically superior, the Jewish law should yield? Was it not Dr. Emil Lehman, in the Leipzig Synod of 1869, who said, "Where, according to Jewish law, a marriage is permitted, the Jewish law prevails?" and was this not repeated in the Conference of August, 1871? Ought we not find out which laws are *permanent or temporary*; which laws still savor of polygamous conditions; which laws still reflect the inferiority of woman. Ought we not ask ourselves, "What is the honest conclusion to which an application of the principles of progressive Judaism would lead us, and by what interpretation may we wisely adjust our historic and traditional views with those of the country in which we live so that our obedience to the civil law will not call for or even suggest a betrayal of our religious conscience?"

In discussing, then, the famous dictum, "*dina dimalchutha dina*," we ask ourselves, "What is the law of the land?" In a very general way, the law of this land, civilly and morally speaking, has its springs in the historic Jewish past. Nay more, the questions of marriage and divorce are easily traceable to the Episcopal church, and these in turn to our Bible and our traditions; so that in a very general sense, the law of the land, the fundamental ethical and religious conceptions of decency and sobriety and of the elements which keep family life pure and sweet is, "bone of our bone and soul of our soul." When, however, we wish to be more explicit and accurate, we meet with a difficulty. The famous rabbi whose dictum we are quoting did not know and did not anticipate that we Jews in America would be governed by the Federal law as well as by State laws. Nor did he know that the questions of marriage and divorce have not yet become questions of Federal legislation. The confusion among the various States on questions of marriage and divorce is simply appalling. When you say, "The law of the land is the law," you cannot apply it to the national law; and until there shall be either a constitutional amendment or some measure looking towards uniformity, we shall be unable to say that the law of America with regard to marriage and divorce shall be

our law. Inasmuch as the regulations of marriage and divorce are in the power of each sovereign State, we learn that the law of each State shall be our law. We thus have sectional sanctions; "*dina dimalchutha dina*," must be given only a State interpretation. In other words, we must say, "Dina dimedina dina." Is it not clear, therefore, that an American rabbinical Commission on marriage and divorce should give us an American interpretation of this dictum from the standpoint of reform Judaism. What is Jewishly right irrespective of divergencies of differing States?

It is fortunate that we have no history of legislation in America with regard to Jewish marriage laws. Outside of the State of Rhode Island, no one State has any specific and exempting legislation on this subject with reference to the Jews. It is interesting to note that the State of Rhode Island permits the Jews to sanction marriages and divorces according to their rabbinical laws, and thus deliberately says, "That the law of the State declares that our law is not your law, and that our ways are not your ways." Is this exception not rather to be deplored than commended; is it not an *imperium in imperio?* Does it imply that, because we have this exception in Rhode Island, it is the duty of the Jews to begin a campaign for similar exceptions in other States? Or ought we not, with becoming self-respect as dignified Americans and Jews, trust that the legislature of Rhode Island will wipe off her statute book this exceptional instance with regard to the Jews? While this exception is highly complimentary to the splendid broad-mindedness of Roger Williams and his followers, it nevertheless convicts us of accepting a civil standard different from that accepted by other Jews as citizens in the United States. It puts our Jewish brethren in this respect in a distinct class with the exceptional privileges enjoyed by the Karaites of Southern Russia.

A

Brother-in-Law and Sister-in-Law Marriage

Dr. Kohler has indicated to us the law as well as the reasons for the prohibition to marry a deceased brother's wife and the

permission to marry a deceased wife's sister. In the Breslau Conference of 1846, Geiger advocated the abolition of the *Ḥaliza*, and at the same Conference it was insisted that the marriage of a man to his deceased brother's wife, even if childless, was incestuous. At the Leipzig Synod of 1869, it was stated that the form of the *Ḥaliza* justly creates offense and ought to be essentially changed. The Augsburg Synod of 1871, adopted also by the Philadelphia Conference, agreed that the command that the brother-in-law should marry his deceased wife's sister has lost for us all binding force.

But more important than the command of the *Levir* and the allowable *Ḥaliza* divorce is this. What is the ethical distinction between the marriage of a brother to his deceased brother's wife and of a man to his deceased wife's sister? Both of these forms of marriage are acceptable in every State of the Union. The Jewish law permits a man to marry two sisters in succession, but forbids a woman to marry two brothers in succession. When a man marries his deceased brother's wife, is he not marrying his sister-in-law? When a man marries his deceased wife's sister, is he not marrying his sister-in-law? Wherein, according to our modern ideas of chastity, is it more incestuous for a man to marry a deceased brother's wife, with or without children, than to marry his deceased wife's sister? Dr. Kohler brought forth an instance at a previous convention where, in a specific case, Dr. Einhorn refused his sanction, while Dr. Cohn of San Francisco and Dr. Wise gave their sanction, and the last named actually officiated at the marriage of a man to his deceased brother's childless wife. Dr. Kohler further adds that Dr. Geiger wrote to him that Dr. Wise was right[1].

Before we can harmonize Jewish laws with the State laws, the American-Jewish Commission which we have in mind must first harmonize the Jewish laws with one another. Consistency seems to demand that either both forms of marriage should be declared prohibited or both forms be declared permissible. I realize that the Jew throughout all the centuries and in his conferences has been perfectly satisfied with the Mosaic and rabbinical determination of this question. I realize that it is,

[1] Conference Yearbook, Vol. XXIII, p. 181.

as a rule, suicidal for any section of Judaism to detach itself from the body politic. If we are to guide ourselves by the Catholic Church and the Episcopalian Church[1] and by certain elements of Protestant denominations, we should unhesitatingly say with them, that both forms of marriage are equally incestuous. Dr. M. Kalisch, in his "*Critical Commentary on the Old Testament, Leviticus*" is very strongly of the opinion that, according to the *spirit* of the Mosaic legislation, the marriage of two sisters in succession is equally incestuous. The reason which prompts the Catholic and Episcopal Churches to take this stand is that the prohibitions in our Bible are invariably stated only from the man's side. If so, the conclusion ought to be legitimate, "Whatever is specifically forbidden in the case of a man is inferentially forbidden in the converse case of a woman;" since a man may not marry his aunt—so a woman ought not marry her uncle. Besides, they contend that the husband and the wife "being one flesh," whoever is of kin to one is of kin to the other; therefore a man should not marry his deceased wife's sister. In other words, they contend that marriages by affinity are just as incestuous as marriages by consanguinity.

The marriages which we are here considering are not of blood, but of affinity. In America, there is no objection to these two forms of marriage. The State law is, "Affinity continues with the marriage which created it and terminates upon the death of one of the parties, leaving the survivor free to marry the relative of the deceased." From this point of view, the marriage of a man to his deceased brother's wife, be she childless or not, is perfectly legitimate. Much reading in the past weeks leads me to believe that there is a growing willingness among many clergymen and lawyers of the Episcopal faith in England[1] and in America looking toward an acceptance of the State law just indicated. We are, then, led to accept one of three conclusions: (a) to declare that both forms of marriage between deceased brother's wife, be she childless or not, and deceased wife's sister are permissible, thus conforming to the American law; (b) or to say that both types of marriage are incestuous as the Catholic church holds; (c) or lastly, to stand by

[1] English Law of 1907 permits the marriage now to a deceased wife's sister.

the old Jewish insistence which, on the one hand, prohibits the marriage of a man to his deceased brother's wife, and, on the other hand, permits the marriage of a man to his deceased wife's sister, and that Judaism refuses to make any surrender of its religious attitude on this question.

B

UNCLE AND NIECE, AUNT AND NEPHEW

In considering the permitted marriage between an uncle and a niece, and the prohibited marriage of an aunt with her nephew, we again enter the realm of discrepancies in the Jewish law. You, doubtless, are familiar with the various citations in Dr. Mielziner's book[1], justifying both the prohibition and the permission. I need not hesitate to say that I consider all the reasons set forth for this distinction a little bit far-fetched and not wholly adequate to our modern conceptions. I understand that it was always believed that a niece was less distant than an aunt. I understand, furthermore, that relationship on the father's side was not regarded as close as relationship on the mother's side. Where is the consistency now? Leviticus XVIII, 14, reads, "Thou shalt not uncover the nakedness of thy father's brother; thou shalt not approach to his wife, she is thy aunt." Not only, therefore, does the Hebrew law forbid the alliance with the father's and mother's sister or the real aunt, but also with the uncle's wife, who is properly no blood relation of her nephew, but becomes his near kinsman by her becoming one with his uncle. Is it probable that the author should have meant to legalize the marriage between uncle and niece who stand in the same near relation of consanguinity as the nephew and his real aunt? The fundamental law of the Bible is that husband and wife by marriage have become one flesh and that it is unlawful to marry a blood relation. The same reasons which militate against the marriage between the nephew and the aunt militate against the marriage between a niece and an uncle. If a man must avoid living in matrimony with his

[1] *Jewish Law of Marriage and Divorce*, page 39, footnote 2.

father's or his mother's sister, why should a woman be permitted to live in matrimony with her father's or her mother's brother? True, in earlier days, marriage between aunt and nephew must have been common. Moses is the child of such a marriage; Amram married his aunt Jochebed; and Moses, their child, forbids such a marriage in his legislation. With this prohibition I heartily agree; but I cannot bring myself to reason with those who justify the permission of an inter-marriage between an uncle and a niece. It is understood that such marriages were common in ancient Israel, and that they were encouraged[1]. I understand the statement advanced by Maimonides of the fatherly spirit of the uncle and of the fact that the nephew is frequently in his uncle's house and constantly meets his uncle's wife, but all these conceptions of parental authority do not wipe out the blood-relationship. *The equality of woman calls for an equality of law*, and what is permitted the uncle or denied him must be correspondingly permitted the woman or denied her. The Jewish law should be consistent and either prohibit both forms of marriage because of blood or grant both forms of marriage as concessions. Were the Jewish law to accept the former and prohibit the marriage of uncles and nieces it would be deserving well of all of its devotees. At least the Karaites and the Sadduccees took this ground.

Now what do the States of the Union say, with the exception of the State of Rhode Island? Examining all the marriage laws of our forty-eight States, I find a desire on the part of one-half of the States to follow this language, "All marriages between parents and children, grand-parents and grand-children of every degree, between brothers and sisters of the half as well as whole blood, between uncles and nieces, aunts and nephews, are incestuous and void[2]." To this law, Arizona, Oregon, Pennsyl-

[1] In Jebamoth 62b, 63a, "One who marries his brother's daughter is among those whom the Lord will answer."

[2] The following states forbid the marriage of uncle and niece, aunt and nephew: Alabama, Connecticut, California, Colorado, District of Columbia, Delaware, Florida, Idaho, Iowa, Maine, Montana, Massachusetts, Maryland, Mississippi, Kentucky, New Mexico, New York, New Jersey, Virginia, West Virginia, South Carolina, Rhode Island, Texas, Vermont.

vania, South Dakota, Minnesota, Wisconsin, New Hampshire, and Wyoming add: "Who are nearer to kin than first cousins, computed by rules of the civil law, both of half or whole blood." Nevada, Ohio, Montana, Washington and Indiana insist that if they are nearer of kin than second cousins, they shall not be allowed. Although, several States still permit the marriage of uncles and nieces, aunts and nephews, I feel fairly certain that there is a strong feeling in the country to enact a uniform legislation against such marriages.

Aside from this, another matter must be considered. In some States there is an understanding that a marriage valid where celebrated will be none the less incestuous in a State where it is prohibited. In Arizona the law is clear that parties cannot evade any provisions as to marriage by going into another State or territory for the solemnization of the marriage ceremony. In Arizona the condition is imposed that parties must be actual residents of the State where the marriage was consummated. Is the rabbi of one State, where marriages of this character are prohibited, justified in advising a couple to go to a neighboring State where such marriages may be permitted, in order that he may give the religious solemnization to a marriage in his State where it was civilly wrong? Shall the rabbi in Ohio, knowing that a marriage is wrong in his State, give it his religious sanction because it is right in another? And what shall be the attitude of this Conference towards a rabbi, who solemnizes the marriage of an aunt with a nephew because it is permitted in some one of a few States? Is the rabbi, who advises a couple to go to another State, not actually abetting the violation of statutory laws; is he not deliberately setting aside the settled policy of the State he lives in and, if not violating the letter, is he not acting in defiance of the spirit thereof? All this, I should submit to such a Marriage Commission.

If these complications arise between States, the difficulty is none the less entangling when viewed internationally. B. H. Hartogensis[1] has called our attention to a federal decision whereby the marriage of an uncle and a niece, though legal in a foreign

[1] Central Conference Year-Book, vol. XX, 131 note.

country, was not valid in one of our States. He cites the case of a husband who left behind him in Russia his legally wedded niece and several children; he became a naturalized citizen in Pennsylvania whereby his wife, too, became a citizen of the United States; yet when she and her children reached the port of Philadelphia the fact of her relationship was brought out, and she and her children were deported.

C

First Cousins

The Jewish law permits the marriage of first cousins and, therefore, of second cousins; in fact, it may be said that the Jewish law and policy have encouraged such marriages. Jewish law permitted the marriage of cousins because neither is descended from the father or mother of the other. On this question I feel that the blood relationship should dictate our objection to the continuance of such a permitted marriage in Israel. The Karaites, guided by the spirit of the Bible, prohibited the marriage of cousins. I know, of course, that there are some apologists who believe that the strength of Israel's physical and mental life lies in the consanguineous marriages between uncles and nieces, and cousins. And on the other hand, I know of reputed authorities who lay the frightful increase of deaf-mutism, idiocy, blindness, epilepsy, and different forms of insanity among Jewish people to these self-same blood marriages. I believe that, however much we may allow for the deterioration due to centuries-long persecutions and unsanitary conditions, we cannot ignore the possible increase of danger from a continuance of such marriages. Even though twenty States of the Union still permit the marriage of first cousins, the sentiment throughout the country is certainly growing strong against it. We, in Israel, have not done justice to the Jew, racially speaking. Until we shall have a uniform marriage law on this question, I believe that the conscience of reform Judaism ought to be against the inter-marriage of first cousins.

D

COMMON LAW MARRIAGES

The States, as a rule, permit marriages to be consummated without any religious solemnization, if they are contracted before a judge of any court or a justice of the peace. Some States permit marriages without the appearance of the couple before any officer of the court, but by the mutual consent of the couple in writing or oral. The States of California, Illinois, Kentucky, Maine, Maryland, Massachusetts, North Carolina, Oklahoma, Tennessee, Utah, Vermont, Virginia, Washington, West Virginia, Montana, insist upon a formal solemnization. It is needless to say that, while the modern rabbi is compelled to recognize the validity of a marriage contracted in this civil way, he is not compelled to give it any religious sanction. He may recognize it as American, but he ought not recognize it as Jewish. While it is true that the old law called for the presence of a *minyan* at the recital of the benedictions and while it is also true that in the Middle Ages the presence of a rabbi was not required at weddings, still today there should be no relaxing of effort on the part of the reform rabbis to discourage common law marriages. The civil law marriages among Jews may be quite rare—they may be due to the fact that the couples are inclined towards socialism or are marrying within certain prohibited Jewish degrees or they care not for the Jewish sanction or responsibility. Their presence before the rabbi is invariably to please father and mother, and to prevent any further domestic infelicity.

E

ELOPEMENTS

The Jewish law seems to know nothing at all about elopements. The only important instance is Jessica, and she lives in fiction. From a religious point of view, elopements imply a lack of consideration of the seriousness of the ceremony. Elopements are due to an inability to secure the parents' con-

sent or to the prohibited character of the marriage or in some cases to a desire to be spared the bother of the social fuss and feathers. The rabbi may recognize the validity of such a marriage. Should he officiate at such a wedding unless the couple is known to him or is identified or brings along the consent of the parents? No!

This leads me to a word or two with regard to the age of marriage, the age of consent and the age of minors. The consent of parents is no legal requirement when the parties are of age, so the Jewish law held. There are some States in our country which insist upon the consent of parents before a license is secured. In Israel a man was supposed to marry at eighteen, because of certain conditions, especially during times of persecution and when it was desirable for the father to feel that his daughter would be protected, marriages under the lawful age were permitted; that is, under twelve. Of course, generally, a marriage contracted by minors under thirteen for boys and twelve for girls was void. All we need from the Jewish point of view is to understand the protest of Abba Areka, "It is a moral wrong that a father should contract a marriage in behalf of his daughter before she has attained the age of consent." The age of consent is not uniform in the United States, and on this question each man must be guided by the law of his State. Jewish men and women, generally speaking, are marrying later than formerly and have given up the old conceptions of the marriage at puberty. This question can safely be left to the conscience and common sense of every rabbi.

F

Re-Marriage

The Jewish law is very severe on the woman who re-marries on the presumption that her husband is dead. The Jewish law declares both the first and the second marriages void. Whatever may be the reasons for this, it is easy to indicate the discrepency between it and our American law. The Jewish law pre-supposes that woman's re-marriage in this particular instance was pre-

meditated adultery. I do not believe that this is just. It is true that, throughout the ages, the human race has been more lenient towards man's adultery than towards woman's, and this particular law is an evidence in the same direction. The Jewish law insists that only actual death (not a presumed death) or divorce can dissolve the marriage tie. While it may be true, as Dr. Mielziner indicates in a foot-note, that a woman ought to be punished for an over-hasty marriage, I fail to see any legislation for a man under similar circumstances. The American courts insist that so long as the marriage relation exists neither party is competent to contract another marriage. The American courts do not permit any presumed evidence, but all the *data must be specific.* In North Carolina, Oregon, Mississippi, Missouri, Rhode Island, West Virginia and Wisconsin, seven successive years' absence, in Iowa three successive years, in Pennsylvania two, and in the rest of the States five years' absence entitles a party to re-marry. Whatever interpretation is put on the length of time of the absence of the husband, the American courts do not construe the second marriage as adulterous, though it is under all circumstances void, and the first marriage remains in force. It seems that the Jewish law should gracefully yield in this specific instance without any sacrifice of principle. The Philadelphia Conference said that, "The decision of the question whether the husband or the wife is to be declared dead or lost is to be left to the courts." Of course, as Jews, we must abide by the court decisions; but as Jews we ought not impugn the motives of a woman who has re-married after an extended absence on the part of her husband.

Several other instances of re-marriage will be cited. A widow is not permitted to marry within ninety days of her husband's death; or, if in a state of pregnancy, until after her delivery; or, if nursing her child, until two years have passed. These three instances are not considered by our States, and the Jewish law has been very considerate and sensible in this respect. It may be that we ought to urge that, out of decency, a widow ought to wait longer than thirty days before contracting another marriage. A widower, according to the Jewish law, is asked to wait at least three festivals after the death of his wife. In-

asmuch as *Rosh Hashanah* and *Yom Kippur* are not included, such a cycle would mean about six months. In this instance the Jewish law has made a concession; if the widower had little children, he may marry earlier. The Jewish Synod of Augsburg added that, in the interests of the widow, if she had a child, a new marriage may take place earlier. These are all instances which may be left to common sense. The Jewish law added a further restriction that a woman who was twice widowed, that is, if both husbands died natural deaths, must not marry again (Yeb. 64b). I fail to see the mercy, wisdom or justice in this prohibition. This decision was set aside by later rabbis. (Maim. Respons. 146.)

G

The Aaronite Marriage

The entire legislation with regard to the marriages of priests and high priests has been disposed of in the Leipsic Synod and accepted in the Philadelphia Conference of 1869 and needs no longer concern us.

H

Prohibited Times for Marriage

In the same way we need not concern ourselves with the legislation prohibiting Jewish marriages on special days. Here, of course, we have no American legislation. Such seasons as the *Omer* seasons, the half-holidays[1], the three weeks previous to the ninth of Ab, and the penitential days between New Year and the Day of Atonement are interdicted for Jewish marriage. Previous conferences have refused to be bound by them. We ought, however, insist upon the old restrictions of marriages performed on the Sabbath and the holy days. It is clear, of course, that if such a marriage is performed on the Sabbath or holy days, it is valid (Orach Chayim, 339, 4, 524). The Augsburg Synod made an exception with the week in which

[1] Kohler's Responsa (Conf. Yearbook, XXIII, p. 180).

the ninth of Ab occurred. I believe, also, that we ought to continue the practice of discouraging a marriage within the thirty days of mourning for a relative.

The Jewish law in no wise conflicts with our State laws, which do not concern themselves with the religious life which a witness leads. We can dismiss this subject with the statement of the second Synod of Augsburg of 1871, "Nobody can be declared unfit to be a witness of a marriage or divorce on account of his non-observance of certain ceremonies."

The whole problem of mixed marriages of Jews with non-Jews can not be here considered as in any wise bearing upon State legislation. This last question, however, brings up the whole matter of illegitimacy. In other words, children born because of marriage in the prohibited degrees or of adultery are not permitted to marry Israelites (Deut. XXIII, 3). If the child of a Jewess and the child of a Gentile marry and the offspring embrace Judaism, the flaw is neglected. This whole question, important as it doubtless is, ought to be considered by a Commission.

I

STEP-DAUGHTER

Note this discrepancy. In New York, for example, a man may marry his step-daughter, which is decidedly prohibited in Vermont, Connecticut, Georgia, Maine, South Dakota, North Dakota and Pennsylvania. The Jewish law is clearly against it.

II

DIVORCE

The harmonization of the divorce regulations as known in Israel with the laws in our various States is not as difficult as is generally supposed. While there is a ridiculous disagreement on this question of divorce among the various States, yet the spirit of Jewish legislation and tradition with regard to divorce

is marked by such sanity, ethical worth and rational appreciation of human nature that its main outlines practically run parallel with the best of American legislation and requirements. In the words of Dr. M. Gaster, of London, "We have no apology!" The history of Jewish divorce has been made perfectly clear in Dr. Kohler's splendid essay, and I am to consider this subject only from our American point of view. Not only is there no apology necessary because of the spirit of Jewish tradition and the results, in Jewish domestic life, of the operation of the Jewish law of divorce, but even an extenuation as to the high religiousness of the law falls by the way. It is true that the law of each State is our supreme guide in civil matters; but Judaism refuses to relinquish its religious authority. Divorce is, after all, a part of the ethical and religious legislation of Israel. If divorce is purely a legal enactment of ancient Israel; if its legal character was destroyed in the loss of our nationality, its ethical insistency yet survives. While accepting the civil character of divorce in our country, I do not see how we can escape the responsibility of including divorce as of ethical import. Religion needs to be satisfied with the grounds whereby the holy covenant of marriage is dissolved by a court of competent authorities.

Let me deny in advance that the securing of a divorce was an easy matter in ancient Israel. In fact, I cannot conceive of a more difficult and complicated procedure whose every step was hedged in by all sorts of legal and technical barriers as was the effort to secure a Jewish divorce. Even when the charges are true as alleged by husband or wife, there must be mutual consent to such a separation; the absence of any coercion or collusion urging separation; a mental understanding of the gravity of each important step; the high qualifications of those who prepare the divorce; the necessary publicity of it; the disqualification of any who may be suspected of having any interest in the divorce, and the details of writing the divorce, are only here casually referred to as indicating the long road over which a prospective divorcée had to travel in earlier days before he was successful.

One important matter I wish to refer to. Before such steps were taken the rabbis in question sought to reconcile the couple,

and to endeavor by moral and religious persuasion to bid them lay aside their differences and to seek to take up again the conjugal duties of husband and wife, provided there was no charge of adultery. Of course, each State in the United States is not so much interested in a desire to reconcile the couple so as to prevent a divorce. But we, as rabbis, ought to consider ourselves charged with the religious responsibility of preventing divorce whenever it lies in our power to offer a telling word. There was a special delight in ancient Israel in the reconciliation of persons about to be divorced or who had already been divorced; so much so that the remarriage of divorced couples was permitted during the middle days of Passover and the Feast of Tabernacles, although new marriages were forbidden during these days. Nor need we, as rabbis, hesitate to consider the future care of the children as part of our religious duty. We may not be in a position to dictate, but the advice of a rabbi to a judge in the disposition of the children of a divorced couple will be welcomely received.

In the United States, we have two kinds of divorce, the absolute divorce (*A vinculo matrimonii*) and the limited or judicial divorce (*A mensa et thore* or suspension from bed and board). Certain States, like Ohio, Missouri, Maine, Oregon, South Dakota and Iowa, do not permit limited divorce; but each State has, in addition, the annulment of marriages, which makes the law of divorce unnecessary of operation.

In ancient Israel we have not only absolute divorce but also judicial separation enjoined by the court where no bill of divorce was granted. This judicial separation was granted for certain forms of incest, for mixed marriages, for marriage with *Mamzer* or *Nethin* or an adulteress, taken in the crime, even when the husband was willing to continue the marriage; or where leprosy and unsanitary means of living made conjugal relations impossible; or when the *Kohen* married a divorced woman or a harlot; or when a marriage after ten years proved childless. In considering these cases of judicial separation in the light of American life, we shall have no difficulty in disposing of them. The instances of mixed marriages with non-Jews or the marriage of the *Kohenim* fall within the religious and ceremonial interpre-

tation of Judaism, wherein the American State has no interest. The matter of leprosy and disease in general, which in Judaism was a legitimate cause for divorce was enlarged to include other loathsome conditions. In view of all our modern views and outlook on the question of eugenics, we agree most heartily with Dr. Kohler's suggestion that loathsome disease be included as a ground for divorce in our various State laws. The childless marriage has no modern legal standing. The practice of such a separation has in itself died out; and, when it was practiced centuries ago, it implied the permission to marry another woman from whom children might be secured. In the light of modern American conditions, not only cannot such polygamy be tolerated, but we cannot even consider the absence of children an ethical ground for even temporary separation.

A second kind of divorce in Israel is that by mutual separation. If a couple declared that their marriage was a failure and if reconciliation was impossible, the marriage was dissolved without the declaration of specific causes. We have nothing in any State law in our country which corresponds to this; in fact, the very principle of American law is decidedly opposed to it, and, in the light of our better knowledge, this regulation in Israel must be abandoned. Marriage is a status growing out of a contract. When once established this relationship is a matter of public concern and the parties cannot terminate or dissolve or modify their contract by any subsequent agreement. Self-divorcement is not recognized in our country. The right of married persons to be their own judges as to the causes for which divorce should be allowed is under no circumstances permitted. While standing absolutely upon this State-requirement, two matters call for consideration. First, we are suffering in our country from an abuse of the divorce such as is easily obtainable in Eastern Europe by our brethren. He who visits the offices of the various Jewish charities will meet many couples, separated by mutual agreement, finding to their dismay that our laws consider them as married. We, of the reform school, should join hands with the leaders of the orthodox school in a campaign of education. The work of the Americanization of the immigrants must include also a familiarity with our

marriage and divorce laws. They must be told that those who obtain a *Get* without having previously procured a legal bill of divorce from a court, will find their subsequent marriage declared bigamous and their off-spring branded as illegitimate. A second matter is this. There is some thing to be said in favor of the mutuality of a couple who seek a divorce. Judaism has maintained that this mutual consent should obtain in marriage as well as in divorce. Therefore, I am inclined to believe that even in the giving of State divorces there ought to be a mutual agreement to part; I agree with the resolution of the Philadelphia Conference of 1869, "A divorce given by the civil court is valid in the eyes of Judaism, if it appears from the judicial documents that both parties have consented to the divorce."

The third kind of divorce is practically an absolute divorce on the complaint of either husband or wife. In the Jewish law there were specific causes whereby the husband could secure a divorce and other causes which the wife could allege. Summing them up, I should say that the seven general causes for absolute divorce in Israel are: First, adultery and immorality. Inasmuch as in early days one looked with less severity upon the immorality of a husband, it is natural to see that it was usually the woman who was accused of adultery. But since the days of Rabbi Gershom, the charges of adultery and immorality have included the husband. Second, change of religion. It is interesting to note that certain States such as Florida, New Hampshire and Kentucky make intolerant religious beliefs justifiable grounds for divorce. Third, refusal of connubial rights for one year. This is usually alleged against the husband when a loathsome disease or a loathsome trade or impotency makes conjugal relationship impossible. Fourth, desertion and accusation by the wife in the event of the husband's abandonment of her. David W. Amram (*Jewish Law of Divorce*, p. 72) makes clear that desertion in this sense is not altogether what we mean by it in America. Fifth, cruelty and insult. Cruelty on the part of the husband or a failure on the part of the wife to show the husband and his relatives due attention was ground for divorce. Sixth, non-support. If upon the order of the court, the husband refuses to support his wife. Seventh, a false charge of antenuptial incontinence on the part of the husband.

Comparing these grounds for divorce with the grounds for divorce in the various States, we have nearly all enumerated. 1. Adultery is the main ground for divorce in all the States. 2. Religious incompatibility is accepted only in a few States. After all, this is a matter which the States cannot decide, but which each religious denomination must settle for itself. 3. The refusal of connubial rights is accepted by most of the States, but not with the same emphasis which the Jewish law laid down. No State has any regulation that a divorce is possible for the carrying on of a disgusting trade. In the light of American conditions we cannot religiously consider this a strong enough ground for a divorce. The accusation of impotence is accepted in all the courts; that of loathsome disease has not as wide an acceptance as we of the Conference should like to see obtain here. 4. Desertion. As hinted before, the Jewish law was not strict enough on the question of desertion. The reason is that there was very little conscious and deliberate desertion in ancient Israel. Unfortunately, the records of our Jewish charity societies will reveal a deplorable increase of cases of wife desertion and abandonment. Here, again, Jewish leaders have a task of education devolving upon them. In various States desertion implies a "one to five years' absence of the husband or wife." I notice that the Uniform Divorce Bill provides a two years' absence as a sufficient ground for divorce. It seems, therefore, that Dr. Kohler's recommendation of a five years' abandonment is unnecessarily stringent, as it may, in not a few cases, prevent a deserving and deserted woman with children from being protected. 5. Cruelty in our various State laws has a very wide latitude. Cruelty includes extreme cruelty, attempt to take one's life, violence endangering life, indignities and defamation; but the tendency seems to be that, except in cases of extreme cruelty, the divorce shall be a limited one. In all cases, the modern State laws are stricter in this respect than the Jewish law. It is quite complimentary to our people that the ancient authorities found it unnecessary to lay much stress upon the charge of cruelty on the part of husband and wife as a ground for divorce. 6. Non-support, in the State laws, includes a neglect to provide and a neglect of duty. In most of

the States west of the Mississippi, it receives more serious consideration than in the East or the South. In addition to these charges the State laws have added a few more. 1. Intemperance covering a period of one or two years. The Jew found no need for including this charge in his catalog. 2. Defects of disposition, due to violent temper and intolerant religious belief. 3. Conviction or imprisonment for crime or fugitive from justice. The nearest we come to anything like this in the Jewish law is in the untechnical charge of desertion wherein the wife would have grounds for divorce if the husband fled the country on account of a crime. Nearly every State in the Union west of Ohio, besides New Hampshire, Vermont, Massachusetts, Connecticut, Pennsylvania, Delaware, Virginia, West Virginia and Georgia consider the conviction of a crime an ample ground for divorce. 4. Insanity at the time of marriage or after marriage is ground in nearly all States for an annulment of the marriage. In this respect the State laws are justifiably stricter than the Jewish law. For instance, in the Jewish law where the wife had become insane she could not be divorced because the rabbi thought that, being unable to take care of herself, she might become the prey of evil men. Here and there some rabbis permitted her divorce so as not to abrogate from the husband his ancient legal prerogative. If the husband was insane he could not give a bill of divorce to his wife or order it to be given for him. 5. Lack of real consent to marriage either due to duress, fraud or fraudulent contract. In most States of the United States, this is ground for an annulment of marriage. In addition to all I have thus far said, the Jewish law made no restrictions as to the length of residence of a divorcée in any city. In our country, however, each State has its own regulation as to how long a party seeking a divorce must be a resident of that State. Most States expect a man seeking a divorce to be a resident for one full year.

In reviewing the grounds, we should find no difficulty in harmonizing Jewish law and tradition with State laws. If we accept the doctrine that the civil law is supreme, the absolute equality of husband and wife before the law with regard to any alleged injustice, cruelty and adultery must also be accepted

as supreme. If we believe that the additional grounds for divorce, previously indicated, are sufficient, I see absolutely no reason why American Israel should have any difficulty in accepting full-heartily the civil requirements of the respective States without any squirms of religious conscience.

The Jewish law calls for the granting of a bill of divorce, known as a *Get*. We need not now amplify wherein we have discarded the need of a religious document. Outside of South Carolina divorce is permitted in every State. As religious leaders, we ought to know the grounds of the validity of a divorce. Some of the State laws allow divorce on grounds which are insufficient to religion, and the religious consciousness has a right to protest against the wisdom of the dissolution of the marriage in specific instances. I think, then, that we ought to reaffirm the conviction of the Philadelphia Conference when a court has decreed a divorce against the wish of one or the other of the couple. Judaism for its part can consider the divorce valid only when the judicial reason for granting the divorce has been investigated and found of sufficient weight in the spirit of Judaism. It is recommended that before deciding, the rabbi obtain the opinion of experts. Inasmuch as the conclusion of Dr. Kohler falls in line with this Philadelphia utterance, it would be well to accept his words: "A body of three rabbis should attest the correctness of the findings of the court on matters of divorce from the religious point of view of Judaism and attach their signature to the bill of divorce issued by court."

The Re-Marriage of Divorced People

The re-marriage of a divorced woman has been gradually gaining in privileges as to status and right of re-marriage. The Mishnah says, "That the woman comes into her own power by a bill of divorce or by the death of her husband," whereby she is invested with all the rights and liabilities of a single woman; furthermore, a divorced woman could be married to any man whom she desired, inasmuch as one clause of the *Get* says, "Thou art permitted (to be married) to any man." We hold today that the rights of the divorced Jewish woman

to re-marry are equal in all respects to the rights of the husband in the Jewish laws as well as in the laws of the States of the United States. The divorced Jewess was not permitted to marry the man who was suspected of having committed adultery with her; nor could she marry the messenger who, coming from a distance, brought the bill of divorce; nor could she marry within three months after her divorce; nor could she marry a priest; nor could she be married, if she had divorced two husbands. The divorced husband had to wait the lapse of the three main holidays, which would be about six months. A man is not permitted to remarry his divorced wife, who had married a second time and had become a widow or had been divorced from her second husband; nor is he permitted to re-marry his former wife whom he divorced on the grounds of bad reputation or barrenness. Nor is he, who had committed adultery with another man's wife, permitted to marry her in case she becomes divorced from her former husband or is left a widow. We have here two important questions: Shall a divorced person be permitted to re-marry and how long a time must elapse before such re-marriage is permissible?

Examining the State laws, we can readily see wherein a change or two in the Jewish law would in nowise work any detriment to our religion, and would at the same time be a whole-hearted acceptance of the civil law. In general the Jewish law maintains the right of a divorced man or woman to re-marry; the woman after three months, the husband after a cycle of three holidays with the exceptions before noted. The State law in our country says that, after the dissolution of the marriage-relations by divorce, the defendant or the guilty party is as free to marry again as the innocent party; in the absence of statutory authority, a court has no power to restrain either party from marrying again. To give an idea of the riotous disagreements in thirteen States with regard to the right of re-marriage of a divorcée, let me instance the following: "In Nebraska it shall be unlawful for any person who shall obtain a decree of divorce to marry again during the time allowed by law, etc." In New York, "When an absolute divorce is granted, the complainant may marry again during the life time of the defendant; but a defendant

adjudged guilty of adultery shall not marry again until the death of the complainant unless the court in which the judgment of divorce was rendered shall in that respect modify such judgment." The state of North Carolina says practically the same thing. In North Dakota each must wait three months; in Wisconsin each party has to wait one year. In Maine an innocent party must wait one year; in Maryland, in a case of adultery or desertion, the court may decree that the guilty party shall not contract a marriage with any other person during the lifetime of the other party. Massachusetts declares that the guilty party must wait two years. In Michigan the court may allow marriage provided such time shall not exceed two years; in Minnesota a person must wait six months; in Mississippi the court may decree that the party shall never re-marry; in Montana the innocent party must wait two years; the guilty party must wait three years.

One sees clearly that in nearly all these states the rights to re-marry are really more stringent than in the Jewish law whether the party be innocent or guilty. I believe that it would be well for us to take the stand that the privilege of a divorced woman to re-marry within three months according to the Jewish law ought to be abandoned. The other regulations in the Jewish law which provide against the re-marriage of a divorced woman or man have a strong ethical value and, even though the courts may not accept them, ought not be abandoned by the synagog.

There are other elements of the National Marriage and Divorce Laws such as the mental incapacity of parties to understand the contract; the physical incapacity; the impotency that is incurable; the status of the illegitimate child; the mutuality of the contract; the promise of the party to marry in the future; frauds and errors; concealment of unchastity or disease; undue influence over minors; duress; proof of marriage; certificate; identity of parties; presumption concerning former marriage; presumption concerning informal marriage; presumption of death and divorce; restitution of conjugal and property rights; annulments of marriage; criminal liability of ministers and officers; all of these finding very little or no discrepancy in the

Jewish law, call for a familiarity on the part of the American rabbi with the laws of the States.

Just a word in conclusion. The Uniform Marriage and Divorce Law is not yet on our statute books. A uniform Jewish Marriage and Divorce Law is as great a desideratum. It would be a noble achievement if the leaders of American Israel of both the reform and orthodox phases of thought and practice could, by joint counsel and mutual forbearance, collate and codify the entire wealth of Jewish law and tradition on marriage and divorce, and seek to present a fairly uniform program of legislation and action for the guidance of the American rabbinate. Since this means a virtual and indefinite postponement of the whole question, we, of the reform ministry, ought not be dilatory. I, therefore, recommend that this Conference, through its Executive Board, appoint a Commission on Marriage and Divorce to consist of five members to consider the problems herein involved.

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A REVIEW OF ELBOGEN'S "DER JUEDISCHE GOTTESDIENST IN SEINER GESCHICHTLICHEN ENTWICKLUNG"

Rabbi Jacob H. Kaplan

I beg to present my conclusion at the very beginning that Elbogen's book is one which must be read by every leader of Jewish thought with the help of the prayer-book, *machsorim*, and *selichos*, in order to appreciate from *within* the wonderful history of our people, whose ideals, hopes, faith, joys, and sorrows have been faithfully mirrored in their prayers and the accompaniments of prayer that may well be summed up in the title of the book, "Jewish Divine Service in its Historic Development".

The book is a rare and most valuable contribution to the science of Judaism because it satisfies the interests of the scholar who seeks for exact information, and satisfies also the interests of the Jewish scholar's heart that seeks the warmth of a sympathetic presentation of all the materials of the scholar. And these two ends are held together throughout the book by the master touch of the author, whose sentences are strikingly unlike those of many another German scientific book in that thay are lucid, clear and warm, because his thoughts are plain and clean. He often puts into a few pages what the proverbial German scholar or philosopher requires chapters to present.

The book contains five hundred and ten pages of reading matter, seventy pages of notes at the end of the book, thirty-nine pages of index, besides a preface, table of contents, and bibliography. In his fourteen pages of introduction, the author defines the limits of his undertaking; that it is to be a history of the development of the various forms of prayer, including the

Torah reading, which have always played an important part in Jewish worship, but excluding the theology of prayer, the sacrificial cult, the private worship, prayers at the table, at bedtime, birth, death, etc. Jewish divine worship holds an especially important place in religious history for it was *'avoda shebelev*, purely spiritual; freed from priesthood and separated from a definite place, it could spread as it did over the entire earth, for it required no elaborate machinery, only the will to serve God and the small number of ten men, to take root and flourish. Already in the time of the Temple, some forms of heart-worship and song-worship existed; so that, as Elbogen shows in a later chapter, the destruction of the Temple and its cult was fraught with hardly any perceptible disturbing effects on the life of scattered Israel; for, in the diaspora, Israel merely continued what was already established—the service of the heart. From such beginnings, which are, of course, critically examined and then soulfully presented, the *Siddur* of our fathers, the *Machsor* with its *piyutim*, *kinnoth*, *yoṣeroth*, and let me add, the prayers of our own congregations, written and unwritten, grew and developed according to definite historic laws.

Elbogen's book is divided into three parts.

Part I deals with Jewish divine service for week days, Sabbaths and festivals including the Torah readings and the poetic ornamentations.

Part II deals with the history of Jewish divine service from its beginning to the present day, taking up separately the time of the *Stammgebete* up to the year 600 of the common era, the time of *Piyut* from about 600 to 1800 and the time of criticism, in the nineteenth century.

Part III deals briefly but thoroughly with the organization of Jewish divine service.

Let us now examine the three parts more closely.

Part I begins with the morning prayer, which is divided into five parts. 1. From beginning to *Barukh she'omar*; 2. From *Barukh she'omar* to the end of *Yishtabakh*. 3. *Yoṣer*, or better known as *Keri'ath Shema*. 4. *Tefilla* or *Shemoneh 'Esreh*. 5 .*Takhanun* ,this includes all prayers following the *Shemoneh 'Esreh*. The two most important parts around which

the other revolve are the *Shema* and the *Tefillah*. One would almost call the presentation of all this material fascinating. Interesting are the accounts of the ways in which the *Shema* was read. In some places the *Shema* was read antiphonically, while in Jericho the method was called *Korokh eth Shema* (to roll together the *Shema*). The leader recited it aloud, and the congregation repeated it verbatim. Here then the response, *Borukh Shem*, had no place, and, in reality, in Jericho this response was omitted.

During the reading of the *Shemoneh 'Esreh*, the congregation stood and the reader went before the ark, so the term was: *'Ovar lifene hatteva*. In Babylonia the reader stood lower than the congregation; *Yorad lifene hatteva* was the term there used.

These eighteen, in reality now nineteen, benedictions are examined and discussed. Mistakes in the recital were not of seldom occurrence, only the reading of the ברכת המינים was closely observed that the reader leave nothing out, or make any changes. He had to hold to the text or he was instantly removed. That was the object of the prayer—to find out if the reader belonged to the Jewish-Christians; such a one would not have called the wrath of heaven on himself and asked the congregation to say *Amen*.

"*Wortlaut of the Tefilla*" is an important chapter for the student of this subject. The author analyses each prayer, traces the development of the contents of each, and shows that the original type of these prayers cannot be determined, as even the oldest of these found vary one from the other. Thus we discover for ourselves the flexibility of the Jewish spirit which moves along traditional lines in original lines and modes. For the individual adjustment of himself to his God, a number of additional prayers grew up; in fact, a great deal of Spielraum was left the individual; all manner of amplification within the spirit of the particular benediction was usual even common.

The *Tankhumim*, the private prayers after the *Shemoneh 'Esreh*, are mosaics of different pieces from different ages. In these prayers each individual had the opportunity, in addition to congregational prayers, to pour out his heart in private devotion; to add his personal needs and longings to the congrega-

tional devotion. It is spoken of as *'Omrim devarim 'akhar hathefila*. The form in which these were offered seems to have been the same as in the Temple, and Maimonides notes that either the face or the whole body was prostrated on the ground. In Yemen this custom is still kept today. With the writing of the prayers, the original purpose was, of course, lost.

The conclusion, the *'Alenu* prayer gave us much trouble. Today we have the sentence *shelo' sam khelkenu kahem etc*, while the old prayer books, and the Sephardic still have, *shehem mishtakhavim lahevel varik*. In 1400 a converted Jew accused the Jews of disrespect to Christianity, for he cleverly figured out that *varik* has the same numeric value as *Jeshu*.

The accusation having often been made, when the censor took notice of the Jewish prayer books, this sentence was finally omitted.

Interesting is the fact that the custom of sons repeating *Kaddish* for their parents for a year originated in Germany at the time of the great persecutions. In the *Machsor Vitri* this custom is yet unknown, and Eleazar of Worms, (1200) speaks very cautiously about it. The expression *Yahrzeit* is found first in Jacob Moellin (1400).

Whatever hasty conclusions the superficial student may, in the exuberance of his modern liberalism, draw from this fact of the late introduction of the *Kaddish*, to the real student it shows the genius of Judaism which has always adjusted inner necessity to outer circumstances; and, in exactly the same way, has the genius of Judaism today introduced the confirmation service which is becoming rooted in the body of Judaism as firmly as the *Kaddish*; because both express an inner need, an adjustment of inner conditions to outer conditions, which is the definition of life.

Chapter II, it need be stated only because of lack of time, deals in the same way as above with divine services for special days, the Sabbath, the additional *Mussaf* prayer, the prayers for the exit of the Sabbath, new moon and feast days, the three festivals, and New Year and Atonement.

Chapter III takes up the reading and interpretation of the Bible as part of the divine services. It is very probable that

this was the stimulus for congregational meetings, for divine services as later developed. The Torah was read four times each week, on Monday, Thursday, and morning and afternoon of the Sabbath. The three year cycle was originally used in Jerusalem, while the one year cycle originated in Babylonia; and, as in most cases so in this, the Babylonian custom displaced the Palestinian.

'Amad likro'th battorah was the rule; each one went up to read from the Torah except the exilarch in Babylonia, to whom the Torah was brought to be read by him from his place. Everybody could and was allowed to read; men, women, children, slaves. It was considered and is still considered an honor to be allowed to read from the Torah or even to roll it up; and even the less worthy would consider it an honor to buy the privilege and bestow it on the more worthy.

The Haftarah reading, the author tells us, is of uncertain origin. He is inclined to think that when the Syrians destroyed the Torah rolls, the prophetic portions were substituted.

Chapter IV takes into review the *Yoṣeroth*, the *Hoshanoth*, the *Selikhoth*; on all of which he spreads valuable light. Perhaps the important thing to be noted here is the mobile character of all these poems and the flexibility of the prayer book. The *Piyutim* were often the special prayers for special occasions, which because of their careful workmanship and devotional spirit, found a way into many prayer books as ornamentations.

To the student of Jewish Divine Services, Part Two, which deals with the history of this whole subject, is perhaps the most important and most interesting. This part held my undivided attention and, on almost every page, many lines are underlined for a more thorough study in the future.

History established for us the fact already stated, that prayers already existed in the Temple services; in fact, the synagog had spread before the destruction of the Temple and had become so thoroughly established in Jewish life that no breach was felt in the religious life at the loss of Temple and sacrifice. On Sabbaths and holidays the people had been gathering to hear the words of some noted teacher, and this was undoubtedly the origin of congregational meetings. The regular meetings established a regular liturgy which naturally grew with unfolding time.

The synagog made possible the immortality of the Jew. Torn from land, from Temple, the simplicity of the *minyan* made the life of congregations possible and kept alive the words of the Torah. The important thing with the Jews has always been the study of the Torah, therefore the public prayers were always short, simple, noble, that the congregation should not be unnecessarily burdened. Business and working men could not always take part, even the learned were not always willing to interrupt their studies for congregational prayers. Very important is the statement that the naturalization of prayer into private life, which no religion attained till then, was attained by Judaism. The religious individualism gained a complete victory; personal piety spread to such an extent that it often later influenced congregational services. (Ibid. 256.)

The Babylonian influence is again seen in the nineteen benedictions of the *tefilla*, whereas in Jerusalem there were only eighteen as the name *Shemoneh 'Esreh* implies; also in the *Kedusha* which in Palestine was read only on Sabbaths while in Babylonia it was read every day as we do now.

With all this mass of prayer and with all the mass of *halakha*, we are apt to forget the spirit of it all, which is devotion. When asked about the reading of the prayers, the rabbis advise that the prayers should rather be omitted altogether if devotion is absent. In our modern congregation, if I may be permitted to enlarge on the meaning of devotion, we have a great deal more order and quiet but hardly anything of what the Jew understands by devotion. One who has not read the old Hebrew prayers with *Kavvana*, with fervor and self-forgetfulness does not really know devotion in prayer. Sitting and listening is not even a photograph of the original prayer with *Kavvana*.

The origin, the development, the contents, the style of the *piyut* is fascinatingly described by Elbogen. In many cases these beautiful poems were read by the author himself; just as today, on some special occasion, a gifted preacher or poet presents an original prayer or poem, except that these *piyutim* were in most cases pieces of art, not what we today call impromptu prayers. The author discusses the various artistic forms, the language, as well as the opposition sometimes offered to this

form of prayer. Maimonides was one of these opponents who criticises some of these writers "that they speak with sharp tongue unintelligibly." This is by no means true of the *piyutim* as a whole, as one learns from the thorough presentation of the poets and their works by our author. He mentions the most important *payyetanim* and aptly characterizes their work. This part of his work is in itself an important contribution to the science of Judaism. Janai, Eleazar, Joshua, and Pinchas are already mentioned by Saddia in his work *Agron*. To Kalir, one of the most important contributors to this liturgical field, the author devotes ten pages. The most important imitators of Kalir are each given a few pages, such as Saadia ben Joseph (892-942); Salomos ben Jehuda ha Babli, (950-980); the family of Kalonymos, Simon ben Isaac b. Abun of Mainz about 1000, etc. From 1050 a new epoch of correct style is visible in the *piyutim*. Among these he investigates the claims of Elijah ben Menahem, Joseph b. Samuel Bonfils, Elijah b. Shemaiah. The most important of all are the Spanish poets, Joseph b. Isaac ibn Abitur, Isaac ibn Gajjat, Isaac b. Rueben of Barcelona, Bachja ibn Pakuda, Salomo b. Jehuda ibn Gabirol, Moses ibn Esra, Jehuda ha Levi etc., etc.

The chapter on the order of prayers, the oldest prayer books in existence, the *minhagim*, etc., is interesting but must be passed over in silence as space does not permit a review of them. One thing, however, must be noted, as it is so different from what, at first blush, we would expect, and that is, the influence of printing on the prayer book. The printer's art did not always preserve the best of our liturgy; for the printer was not often a scholar, and so the prayer books are often the results of selections for convenience sake, or just as often it was mere accident that one or the other ornamental portions was published and preserved.

Mysticism had a great influence on the development of divine services. While the Talmudists, as we have already seen, emphasized the study of the Law and the shortening of prayer, the mystics felt that prayer, with devotion, of course, is the highest form of piety. This important subject, too, is treated with sympathetic insight which I believe very few scholars could have equaled, for the temptation to ridicule mysticism in an age of

liberal-mindedness is too tempting to refrain from indulging in it.

Chapter III of part II, presents the history of divine services in modern times. The author acknowledges his indebtedness to Dr. Philipson's "*Reform Movement in Judaism*", and it is not necessary to review here what we have all read in Dr. Philipson's book and what is here given in much shorter form; but his chapter on America is of great significance to us. In a few short pages he describes the entire movement in this country with an insight which is truly marvellous, and with the eye of the critic who often can see better than we, who are still in the arena, who have lived and are living through the struggle. Elbogen has the same dignified appreciation for all that is good and beautiful in American divine services and the same dignified criticism of what he thinks is weak and wrong in our religious life as manifested in divine services. It is only out of deference for the time allowed me in the reading of this paper that I refrain from translating the entire twelve pages of Elbogen that bear upon the American situation; but I warn you not to judge until you have read his entire book and have seen the eminent fairness, sympathy and critical insight which he brought to every page of his book.

Exception might, of course, be taken to Elbogen's specific statement that the Jewish character of our divine services can hardly be recognized. This statement, from our point of view, is not justified because after all, the intense Jewish spirit that produced our American Jewish divine services in all their detail, produced them out of the conditions arising in this country, conditions in which greater freedom of individual life and closer intimate contact with our fellow men are for the first time real contributing elements in Jewish life, which one, not living here, can hardly appreciate. Therefore, those of us who have been brought up in orthodox Jewish homes across the water, can, without agreeing in this criticism with the author, readily understand his point of view and feelings.

And now let us turn briefly to Part III of Elbogen's book. This is the shortest part but full of valuable and interesting information. It deals with the organization of Jewish divine

service, the house of prayer, their names, the situation most preferred in any community as the site of the prayer-house, the number of them and their uses. The chapter on architecture is fascinatingly pictured, the ornamentations, the seating arrangements, the inner furnishings, the ark, the *almemor*, etc., etc., and last, but not least of all this, the congregation itself, the officers, the members, the remarkable joy in working and giving to the synagog. In the middle ages, for example, some families reserved the right and privilege of attending to and paying for all repairs, and bestowed that privilege upon their heirs as a valuable inheritance. The relation of reader, interpreter, and congregation; the relation of song, choir, and services; all this is interestingly treated in this last chapter of this, to us, absorbing study, The Jewish Divine Service in Its Historic Development.

The only satisfactory review of this book, it seems to me, would be a translation into the language of those for whom it is reviewed.

Rabbi Morgenstern—I wish to express my sincere appreciation of the excellent review of this remarkable book. And I would emphasize the point brought out by Dr. Kaplan in regard to Elbogen's discussion of the development of Judaism in America. The book brings home one fact of great importance; namely, that the religious life of any people is the outgrowth of the actual life of that people. For that reason it is difficult for any man, living in a different environment and not having a first hand knowledge of the conditions under which the American Jew lives and of the forces which tended to bring about the present evolution, to express an altogether authorized and fair judgment upon Judaism in this country. We do not doubt that Elbogen meant to be absolutely fair. Those who know him personally as I do, can appreciate that; but it shows the difficulty under which he labored in preparing this work.

Dr. Schulman—I differ with the reviewer, for I carried away a radically different impression from the book. Dr. Kaplan has not brought out and emphasized that which is strongest and most brilliant in the book—the first part—which Elbogen calls a

description of divine services. What he calls a description is an exhaustive analysis of every prayer. It is a brilliant piece of work and Elbogen as an analyser of sources is unexcelled. The second part is historical and this is the weakest part for the writer indulges in generalizations. As a scientific work it will not bear close inspection. Dr. Elbogen discusses American liturgies and uses them as an occasion for expressing his private opinion of reform Judaism. He might have taken up the modern period and then, in a scientific manner, gone into the principles which consciously or unconsciously made up the modern liturgies. He does not go into a profound analysis of prayer or he would have been prepared, when he came to the modern period to discuss it in a scientific way and ascertain why certain things were discarded. It is absolutely unscientific and impractical for our purpose. As a literary work it is excellent; as history it is weak.

Rabbi Lauterbach—The reviewer could have criticised Dr. Elbogen by using against him his own weapons. The historical development of the liturgy shows that there has always been a gradual departure from previous prayer-books. It is wrong to say that the last development is such a departure as to be unrecognizable. Elbogen admits that the only two points of reform are the denial of belief in a personal Messiah and of belief in bodily resurrection. Elbogen himself, in an essay, expressed disbelief in a Messiah and as to the other point, as far back as Maimonides and the twelfth century, *tekhiyath hammethim* was understood to mean immortality and not resurrection. How could anyone make the statement that the interpretation of this belief given in our prayer-books constitutes a radical departure from the older prayer-books. The difficulty for Elbogen was, that while we can all study history in the past, it is difficult to understand it in the future. It is easy to look back and analyse the steps we have taken; it is not so easy to interpret what lies before us. With all his thorough understanding of the development of the past, Elbogen cannot appreciate American Reform for he is not familiar with the forces that produced it; for him, it is fifty years ahead of the times.

Rabbi Rosenau—I request the privilege of adding a few words to justify to some extent the statements made by Dr. Elbogen. When the part dealing with American Judaism was under consideration, he wrote me to please let him have all I know in regard to the Jewish ritual wherein the American differs from the European. I pointed out to him wherein we differed from the ritual in vogue in Germany. As a result, he drew up his statement. However, I was in no way responsible. But we can understand why he does not sympathize with our service. He could not understand how there could be a Jewish service without the *Stammgebete*; with only a few readings from the Torah and Haftorah. I believe he is privileged to his criticism. We ought to understand the man. He is not a man who goes to *Schule* every day—he says he is interested not in the sermon but in the service itself. He is not opposed to reform. He is not hypocritically orthodox but is a man of broad vision and the most impartial with whom I have ever come in contact.

L

JUDAISM AND SOCIAL JUSTICE, HISTORICALLY CONSIDERED

ABRAHAM CRONBACH

Corresponding vaguely with the familiar distinction of thinking, willing, feeling, the concept of social justice may perhaps be analyzed into three distinct aspects. Social justice involves, in the first place, a doctrine. It involves, in the second place, a method. It involves, in the third place, a sentiment.

As a doctrine, social justice stands antithetical to the doctrine of social beneficence. According to the social justice idea, it is not a special favor for the poor to have their condition improved but an inalienable right. According to the beneficence idea, such is not a right, but a privilege, efforts on our part toward social amelioration being not a duty but a gratuity.

As a method, social justice is opposed to alms-giving, commonly called charity. Protagonists of social justice contend that not only are alms insufficient to relieve misery, but that alms often aggravate the misery by standing in the way of more thorough-going measures.

As a sentiment, social justice is arrayed against selfishness and indifference. Ardent is the concern of social justice for the oppressed and the poverty stricken. While humanity suffers, social justice can not rest.

I

We take up first the doctrine aspect of social justice. Hardly will it be called far-fetched to associate our present day doctrine of the right to social normality—Dr. Devine's latest book calls

it "The Normal Life"—with an older doctrine dating from the days of Cabet and Louis Blanc—the doctrine known as that of the right to subsistence. "To each according to his needs, from each according to his powers".

The principle is not strange to Judaism. Deuteronomy XV, 8, commands that the poor brother be lent "sufficient for his need." Leviticus XXV, 35, enjoins: "If thy brother be waxen poor and his hand fail with thee, then shalt thou uphold him". Indeed the principle of the right to subsistence can be felt back of practically all of the Bible's eleemosynary injunctions. Says Galandauer: "The Bible proceeds upon the principle that whatever is alive has a right to be alive and to keep itself alive".

The statement would also apply to the later Jewish literature. Repeatedly is the term *miṣvah* used with reference to the act of providing subsistence.

That charity giving is, in Judaism, a universal obligation is well known; such are the praises for the charitable and rebukes for the uncharitable in which the Bible abounds. The Talmud speaks of uncharitableness as "idolatry," "atheism" and "murder". To be sure, charity giving may not be altogether identical with providing subsistence. Still less is it identical with the conferring of what Dr. Devine calls "the normal life". Yet charity giving was the old Jewish approximation to both of these; sufficiently an approximation to make the obligatoriness of charity in Judaism a Jewish endorsement of the doctrine aspect of social justice.

II

Social justice as a method, we have already noted, is opposed to alms giving as a method. The modern propaganda for social justice urges, as an alternative to alms, the paying of a living wage, the limitation of hours of employment, the prohibition of child labor, the improvement of housing conditions, vocational training and guidance, precautions against industrial diseases and accidents, measures against unemployment, insurance against sickness, old age, etc.

So uniquely modern are many of these problems, that it were manifestly absured to seek pronouncement on them in a

literature of hundreds or of thousands of years ago. Still there do appear, in Jewish literature, ideas of a cognate type.

That self help is the best help and that enabling a person to be independent is better than alms-giving are thoughts not absent from the Talmud and the Codes. "Make thy Sabbath a week day and become not dependent upon others". "If thou eat thine own hands' toil, happy art thou in this world and well is it with thee in the hereafter". Worthy of fame is the saying in *Matnoth 'Aniyim* X, that the type of charity which takes first rank is that which puts the needy person into business for himself and makes him self-supporting.

Then there are the various legislative measures as, for instance, those touching the interests of the laborer. The time within which wages must be paid is fixed already in Leviticus XIX, 13. The Talmud, particularly *Baba Meziâ*, is full of measures aiming to guard the laborer against fraud and exploitation. The hours of labor are strictly limited by local custom and may not be extended by the employer. *Baba Meziâ*, 83a, goes on to state that not even increased wage entitles the employer to more hours of work, his return for the increased wage being increased efficiency of service. Agreements among laborers for mutual protection somewhat like our trade unions seem, in *Baba Baîra*, 9a, to be permitted by Rab Papa provided the agreement receive the sanction of some prominent man.

The Sabbath is perhaps the most notable piece of social legislation ever promulgated "in order that thy man servant and thy maid servant may rest as well as thou". Had the ancient Jewish Sabbath enactment been observed—yes, observed in a community which professes to believe in the sacro-sanctity of the Bible and the supernatural validity of its commands—some of the most scandalous findings of a recent sociological survey would not have been.

Also renowned instances of social legislation are the laws pertaining to *pe'ah*, *leqet* and *shikhecha* which appropriate for the poor the corners of every field and the leavings of every crop and vintage. It is not necessary to discover exact parallels between these ancient measures and modern proposals of social reform.

Sufficient that the principle is there, the principle of social legislation aiming at social normality. Similar reflections apply to the *Shemitah* laws and to the laws against interest taking and especially to the jubilee law.

The Jubilee is often mentioned in connection with the modern Single Tax propaganda. The differences between the two have impressed me more forcibly than their resemblances. Still the underlying thought in both of them, as also in Isaiah V, 8, and in the law, Deuteronomy XIX, 14, etc., against removing the landmark is to prevent the powerful few from concentrating land ownership into their own hands. More strongely suggestive of Henry George is the passage in Midrash Rabba to Exodus XXII, 26: "Cain and Abel agreed to divide up the world between them. Cain said. 'Take thou the movables and I take the land'. Cain's real intent was to get Abel out of the world. For, when Abel would go forth into the world, Cain would pursue him and say, 'Get off of my property'. When Abel would ascend the mountains, Cain would pursue him and say, 'Get off of my property'. Eventually the murder occurred".

Another instance of social legislation is the elaborate system of laws Biblical and Talmudical concerned with slaves, providing for the health and comfort of the slave and making for his final manumission.

Then there are the old *Kethuvah* regulations which have about them some pronounced suggestions of our present day proposal to pension indigent mothers. Wherever there was a woman, there had to be, under the old Jewish plan, a fund for the woman's support in the event of divorce or widowhood; one might call it a species of social insurance. The fund was normally a private one; yet, under Jewish philanthropic arrangements, it, at times, approached being a public one. Providing indigent brides with dowries was among the departments of Jewish charity, special societies existing for the purpose in various communities or special collections being instituted as occasion would require.

So much for social justice as a method.

III

We finally consider social justice as a sentiment. Here is where the concord between Judaism and social justice becomes most pronounced. Exponents of social justice are ever quoting the Bible. That the modern social movement is the outcome of the Hebraic element in our civilization may be urged with high plausibility.

Sympathy for the poor and downtrodden finds its expression in Jewish literature as probably in no other literature of the past. The word *'evyon* occurs in the Bible sixty-one times; the word *'Ani* occurs seventy times. No socialist ever spoke more vigorously than Isaiah III, 14, 15; Jeremiah XXII, 13 ff. is almost anticipatory of Karl Marx; while many a socialist pamphlet of to-day is only Job XXIV, 2-11, over again.

Similarly the later literature. In Midrash Rabba to Exodus XXII, 26, Israel asks God, "Who are Thy people"? and God answers: "The poor". "The Torah comes forth from among the children of the poor" says *Nedarim* 81a. "The Messiah will be found among the ragged poor" says *Sanhedrin* 98a. "Let the poor be members of thy household" says *Aboth* I, 5. *Tanhuma Mishpatim* IX, predicts a woeful hereafter for the rich man who snubs his poor relatives. Likewise bound for hell is the official who oppresses the poor. Rome is, for its derelictions in this regard, to receive divine punishment.

A kindred sentiment is that about the dignity of labor. Space is inadequate to convey the least part that might be told concerning the Jewish position in this matter. In *Aboth de Rabbi Nathan*, II, it says that God made His *Shekinah* rest upon Israel only when they began to perform labor. In the same context it says that, upon labor, God founded His covenant with man. A remarkably fine passage is that in *Pesahim* 118a: "When God said to Adam, 'thorns and thistles shall it bring forth to thee', Adam wept bitterly. 'Master of the world' he said, 'shall I and my beast eat at the same crib'? When God said, 'In the sweat of thy brow shalt thou eat bread', then was Adam's heart at rest". "Great is labor, for it honors those who perform it" is the saying in *Nedarim* 49b. It would make a

long list to give the names of all the Jewish worthies who were manual laborers.

Baba Mezia 112a, observes that whoever defrauds a laborer of his wage is a life destroyer—a destroyer, says *Rab Ḥisda*, of his victim's life; a destroyer, says *Rab Huna*, of his own life. In *Baba Batra*, VII, 1, R. Johanan b. Matya remarks to his son regarding certain workmen: "My son, though thou make for them a feast like Solomon in his glory, thou hast not done thy duty, for they are the sons of Abraham, Isaac and Jacob". One is reminded of the grand saying in *Berakot* 17a: "I am God's creature, my fellowman is God's creature. My work is in the city, his work is in the field. I arise to do my work. He arises to do his work. Be it not said that I do much and that he does little. We are both equal, the doer of much and the doer of little; provided only the heart be directed heavenward".

Indeed, that sentiment of equality which plays such a vast role in the modern social enthusiasm finds not a few expressions in Jewish literature. The Bible contains explicit affirmations of equality between rich and poor, between master and servant, between native and stranger. Where need one seek a finer expression of the equality ideal than the words ascribed to Moses in Numbers XI, 29: "Would that all of the Lord's people were prophets!"

In the Midrash, a noteworthy expression on the subject is the passage in *Yalquṭ* to Judges No. 42, the passage which has the famous New Testament parallels in Galatians III, 28 and I Corinthians XII, 13. The passage from the *Yalquṭ* reads: "I call me to witness heaven and earth; between non-Jew and Jew, between man and woman, between man servant and maid servant, God lets His spirit rest upon a person purely in accordance with that person's conduct". "The Book of Lamentations was written" says another Midrash, "to show that God is partial neither to small nor to great nor to Israel". *Baba Batra* 121a, and *Ta'anit* 30b, recount how, that there might be no difference in rank at the festivities following Atonement Day, all of the women participating wore borrowed white garments.

As in the modern ardor for social justice, so in the old Jewish writings sympathy for the poor sometimes goes so far as to take

the form of antipathy toward the rich. In the matter of denouncing the rich and their possessions, the Bible outdoes many a socialistic tirade of to-day. See Amos III, 9; IV, 12; VI, 1-7; VIII, 4-6, 10; Hosea XII, 8; Isaiah II, 7; III, 16-24; V, 11, 12; XXII, 18; Job XX, 10; Proverbs XXVIII, 6-11; II Samuel XII, 1-4; Speaking of the Psalms, Duhm remarks; "*Reichtum gilt vielen Psalmisten wie ein halbes verbrechen*," while Gunkel observes; "*Wenn Arm und Reich sich streiten, so hat natuerlich der Arme recht*".

By all means the strongest and truest Jewish endorsement of social justice, however, is to be found in the general ethical position of Judaism. Where is there a more appropriate slogan for social justice than the dictum, "Love thy neighbor as thyself"? Love of fellowmen is not only the beginning; it is also the goal of social justice. Fellowmen can not be loved unless they are fit to be loved. The drunkard and the vagrant, the prostitute and the thief are hard to love. Social justice is one of the things needed to eliminate the drunkard and the vagrant, the prostitute and the thief. Make human beings fit to be loved and love will break forth as the morning. Love of fellowmen, as enjoined by Judaism is coping stone as well as foundation stone of social justice.

Take again the conception of *Kibbud habberioth* so well expressed in *Aboth* IV, 3, "Look upon no human being with disdain". Judaism is glorious with that sense of human worth which is the very marrow of social justice.

The very God idea which Judaism has given commits us to the cause of social justice. As Prof. Patten has shown in "The Social Basis of Religion", true religious feeling is impossible where there is lack of concern about the socially ill-favored. I once heard a prominent social worker remark that personal salvation is a by-product of social service. He was right. Religious feeling is largely but a sublimation of social feeling. Religion will degenerate into formalism, lifelessness and finally indifference unless it is nourished by a burning, throbbing zeal to correct social abnormality. We can not feel God as a reality until first our fellow men become to us realities; and once our fellowmen become to us realities, we stand unreservedly consecrated to the quest for social justice.

May it not further be said that between the Jewish handling of the immortality doctrine and the modern social justice sentiment, there is also a singular accord? Judaism has been spoken of as a religion of "*Diesseitigkeit*," of "this-worldliness". The modern social justice propaganda has repeatedly announced its "this-worldliness," almost rebuking the "other-worldliness" of the dominant religion. As regards the emphasis thrown upon the immortality doctrine, traditional Judaism and not traditional Christianity has come the nearer to anticipating the modern social justice spirit.

Even the personal virtues extolled by Judaism are of vital bearing in the matter of social justice. "Who is mighty? He who subdues his passions". It would not be difficult to show that of all the obstacles to social progress bad temper is one of the most pernicious. A similar thing may be said of untruthfulness. The presence, in the world, of untruthfulness and the consequent all pervading suspicion of untruthfulness—what a formidable hindrance to that harmonization of conflicting interests upon which social progress must wait! Again, the Jewish teaching about humility. Democracy is a hollow phrase and a practical impossibility where haughtiness is the rule. "Do justice, love mercy, walk humbly". He is little likely either to do justice or to love mercy who does not walk humbly with his God.

We shall grant that for many of the passages quoted above, other passages can be found in Bible or Talmud having the very opposite tenor. But this does not vitiate our conclusion about Judaism and social justice. We always do exert and always must exert our aptitude for personal selection when we decide on the basis of Jewish writings whether or not a given position is Jewish. Orthodoxy itself is selective. Orthodoxy itself is obliged to reject certain attitudes of the Jewish past (as, for instance, that of prophetic iconoclasm) and to elect certain other attitudes (as, for instance, that of legalistic conformity). The fact that Jewish tradition offers to our choice such a wealth of material which harmonizes with and explicitly endorses the modern social movement warrants us amply in saying that the striving after social justice is part of our religion.

Social justice is Jewish. Even if it were not Jewish, it would behoove us to espouse social justice. For social justice is right and the right must be done whether it is Jewish or not.

Better yet, it would behoove us to make it Jewish. Many things which were not Jewish originally, came in the course of history, to be made Jewish— for instance, the Sabbath, the immortality doctrine and the lovely rite of confirmation.

Best of all, why not say that whatever is good and true is, *ipso facto*, Jewish? Why must Judaism be a tradition only? Why may it not be a living consecration in the souls of living Jews? That which purifies my heart that which strengthens my will, that which elevates my ideals—the living, throbbing ardor inside of our Jewish bosom—why should that be denied the characterization "Jewish"? Why should not that be as "Jewish" as the commands of Bible or Talmud or the rituals of Prayer Book or *Shulkhan 'Arukh*? Whatever inside of any Jewish soul is good and right and holy and noble—that is itself Jewish. Social justice, even if the numerous other reasons did not exist would, for this reason alone, be Jewish.

M

ROUND TABLE ON BIBLE READING IN PUBLIC SCHOOLS*

Led by RABBI SAMUEL SCHULMAN

My purpose tonight is to concentrate on the three aspects of the subject which seem to me to be the cause of the periodic springing up of this question and its agitation in all parts of the country.

(1) The constant attempt to Christianize the schools as well as all public institutions.

(2) The realization that under present conditions we have not sufficient ethical teaching.

(3) A purely intellectual motive—the realization that there is a growing ignorance of the Bible.

With the first of these aspects we cannot be in sympathy. Its purpose is to Christianize our schools. While it is constantly maintained that the selections from the Bible are to be non-sectarian, yet to the Christian mind non-sectarian means Christian. By non-sectarianism, Christians really mean non-denominational. Religion is to their mind synonymous with Christianity. Some of our rabbis in their excessive liberal zeal have consented to the reciting of the Lord's Prayer on the ground that it is harmless but we must ever bear in mind that it is the most distinctive symbol of Christianity—in fact, the very name, the Lord's Prayer, makes it unwise for us to consent to its introduction into the schools.

The public schools are the great unifiers in America of all racial and religious elements—they should be made the basis for the development of the democratic spirit and they must not

* Synopsis prepared by the Editor from stenographic report.

become missionaries for any one religion. It is constantly being urged that the Bible should be read as the sublimest piece of literature that the world has ever had. The Bible is not mere literature. It is the authoritative source of all the great religions and it has a subtle influence on the lives of its readers. Our position should therefore be uncompromisingly against its introduction into the public schools.

Toward the second aspect our attitude should be one of co-operation. We must do all in our power to assist the churches in the ethical upbuilding of the nation. Separation of church and state does not mean the secularization of the government. We must encourage the development of the religious life of the nation. We must make it clear that the fact that we have taken a negative attitude in this matter does not mean that we are opposed to religion or to the ethical betterment of the nation. The separation of church and state is negative in so far as it tries to prevent the forcing of the conscience of any individual. The American people is religious and the government shows courtesy to religion wherever it can, because it feels that the strength of the nation rests upon the religious life and moral character of the people. The state provides for chaplains. The state recognizes the sufficiency of religious marriage. Sessions of legislature are opened with prayer. We, therefore, because we are compelled jealously to watch our rights as a religious minority and insist upon the separation of church and state, must not put ourselves in the position exclusively of secularists. Wherever we can, we must have a positive message and we must co-operate with our fellow-citizens in the improvement of the ethical and religious life of the nation. We want religion, but we do not want the state to make any invidious distinction and encourage one religion at the expense of the other, or to force any man's conscience. Therefore we should assist any movement which will contribute to the development of the religious life of the people according to each man's belief.

To correct the growing ignorance of the Bible and to improve ethical and religious instruction in the nation, several plans have been developed: (*a*) the Dakota or Colorado plan; (*b*) formal ethical instruction; (*c*) the Gary plan.

According to the first plan, while there shall be no instruction of Bible or religion in the schools, there shall be credited to the pupil any instruction given elsewhere in Biblical history and literature, without any religious interpretation, according to a curriculum adopted by the school authorities or a committee appointed by them for this purpose. The weakness of the plan at present lies in the fact that the Protestant version of the Bible is taken as the standard. The Jew has a right to demand wherever the plan is adopted that he shall be allowed to use his own Bible and that Jews should help make the curriculum and that in presenting Old Testament history and literature in the syllabus no cross references be made to the New Testament, as in the present syllabi. This means that a Jewish boy or girl could, if desired, present knowledge of Old Testament biblical history and literature by itself, for credits.

There is at present much ethical instruction in the public schools, incidental to its rules of punctuality, discipline, courtesy, mutual consideration, and so forth. It might be suggested pedagogically, that the material of history and biography should so be presented in the school as to bring out ethical ideas and impress ethical lessons.

Formal ethical instruction is of little value. It is impossible to teach boys and girls of fourteen or fifteen ethics apart from religion. To the natural question, Why should we obey the moral law, there must come the answer, God, the Holy One, so commands.

Because of the natural desire to eliminate religion from the public schools, others have suggested the sufficiency of ethics. This, however, means the enthronement of "ethical culture" in our public schools. If ethics is to be taught formally and consistently in the public schools of America as sufficient, without any reference to religion, the imagination of the nation cannot but be impressed with the thought that religion is of little importance and can be dispensed with. Therefore, on theoretical grounds, we must oppose ethical instruction in the schools for it cannot be separated from religious instruction. If religion is to become a power in the life of the nation, the instruction must not be carried on in a dilettante fashion. We

realize that one and a half hours a week is not sufficient for religious instruction. What then shall the remedy be?

The Gary plan, which will enable each denomination to take the child during school hours for religious and ethical instruction, as part of the school life, but away from the school building —school time being used, but no credit being given in the school for the moral and religious instruction given outside of it. The Gary plan of instruction tries to fill every hour of the day with some activity and so give a more varied training. It was, therefore, suggested that part of this time be utilized for religious instruction. This plan seems to me most promising for the solution of the problem of the religious instruction of the nation in a country committed to the separation of church and state, whose schools, therefore, should avoid emphasizing differences of religion, but should give the opportunity to the children to remain loyal to their respective religions.

This Conference should not content itself merely with the negative attitude of insisting upon the complete separation of church and state, but should, wherever it can, constructively and helpfully meet all efforts made for the improvement of ethical and religious education in the nation.

We must, however, take a firm position in the matter and demand that whenever a movement is begun, the Jew shall be consulted and shall be asked to co-operate. The difficulty up to the present time has been that these things have been carried on without consulting the minority and we have been compelled to protest and so the general impression has gotten abroad that we oppose every movement for the religious development of the nation. If religion is indispensable for life, we are leaving our schools defective to the extent that we do not supplement the school instruction by providing for the ethical and religious education of children. Any course, however, can be made ethical if rightly presented and this side of the work should be emphasized. Even vocational instruction can be made the basis of ethical training. Let us continue in a zealous watchfulness of our rights but let us not forget that we are part of the American nation with its great ethical and spiritual traditions, and, as part of the American people, let us encourage

the moral and spiritual education of the nation. We must not be merely negatively critical but our new policy should be to supplement our criticism of these various movements by our willingness to co-operate wherever we can.

Rabbi Lefkowitz—In spite of the seeming growth of liberalism in this country, there is a strong reaction in regard to the separation of church and state. There is a persistent demand for the introduction of Bible reading. We should examine the various plans and perhaps, by some compromise, find a method which will be a help in the religious training of our children.

Rabbi Philipson—It is not sufficient that we merely protest. We must assume a positive attitude. This Conference should appoint a Committee to examine carefully all the plans which have been suggested for religious instruction in connection with the public schools and see whether any of them could be made suitable for our purpose.

Rabbi Gries—We should hesitate long before giving our approval to any of the plans which have been mentioned tonight. The moment the proposed plans fail, through lack of funds and want of buildings and equipment, the church will call upon the state to furnish the means to pay the teachers, to provide buildings and equipment and to assume direction of religious instruction.

Rabbi Rosenau—I heartily approve of the suggestion that a Committee be appointed to study these various plans, but they should not limit their investigation to plans proposed in this country. Several methods are used in Europe which may furnish valuable suggestions. Let us study all plans and we may evolve a method which may be a distinct contribution to the solution of this vexed question of teaching the Bible without any interference of the state in the affairs of the church.

Rabbi Heller—My views are so directly opposed to those of the speaker that I feel compelled to declare my convictions

in this matter. The separation of church and state cannot now be carried out consistently; in the matter of Sabbath observance, of chaplaincies, of the recognition of religious holidays and so forth, there is a clear violation of this principle. As our civilization develops, religion will more and more permeate education; the majority religion will stamp its individuality upon customs, traditions and habits of the people; more and more the religion of the majority will receive general sanction as contributing most to the national character.

In our attempt to maintain the unsectarian character of our institutions we are meeting an increasingly stubborn resistance and we are certain to lose ground. To me there is one and only one final solution that promises opportunity for the unfoldment of our religious individuality and that is the solution offered by political Zionism.

Rabbi Schulman—Rabbi Heller seems to despair of the possibility of reconciling the principle of separation of church and state, with the recognition of the rights of Jews to observe their own Sabbath, if they so desire, with the rights of Jews to have their own chaplains, when their numbers justify. He is afraid that the majority religion will stamp its individuality upon the national character more and more. He is inclined to give up the fight to maintain the unsectarian character of our institutions. For him, there is only one final solution, that promises opportunity for unfoldment of Jewish individuality, only one place in the world where Judaism can be expressed properly, and that is in a Jewish State, where church and state will be united.

Rabbi Heller will find that American Jewry will not subscribe to his ideas. We non-Zionists have always attributed such opinions to Zionism, but we never have obtained, thus far, such a frank statement. We hold that if ever there was an opportunity offered for the Jew to develop his religious individuality and assert it, and at the same time live peacefully and in a spirit of co-operation with his fellow-citizens of the Christian faith, it is offered by the American democracy.

A difficult and delicate problem should not drive the Jew away from the attempt to help solve it. It should not make him,

in cowardly fashion, give up the task. It should be an inspiration to him to use all his intelligence and all his sense of duty as a citizen to help solve the problem, so that the non-sectarian character of American democracy be maintained and, at the same time, the possibilities for the life and growth of the Jewish religion be fostered.

As Jews, we are optimists and we do not preach the gospel of despair. Not political Zionism, but the eventual triumph of the principle of the separation of church and state in all countries, is what the Jew as a man and as one loyal to his faith, should seek to accomplish.

Isaac Mayer Wise

Founder
of the

Central Conference of American Rabbis

and

First President

1899-1900

Deceased Members

AARON, ISRAEL, Buffalo, N. Y. 1912
ADLER, SAMUEL, New York City 1891
ADLER, LIEBMAN, Chicago, Ill. 1892
BAUER, SOLOMON H., Chicago, Ill. 1913
BENJAMIN, RAPHAEL, Brooklyn, N. Y. 1907
BIEN, HENRY M., Vicksburg, Miss. 1895
BIRKENTHAL, HERMAN, Hamilton, Ont. 1893
BLAUSTEIN, DAVID, New York City 1912
BONNHEIM, BENJAMIN A., Cincinnati, O. 1909
CARO, VICTOR, Milwaukee, Wis. 1912
CHUMACEIRO, H. J. M., Curacao, D. W. I. 1905
COHEN, OSCAR J., Mobile, Ala. 1901
FELDMAN, EPHRAIM, Cincinnati, O. 1910
FELSENTHAL, BERNARD, Chicago, Ill. 1908
FEUERLICHT, DAVID, Owensboro, Ky. 1897
FISCHER, E. K., Chattanooga, Tenn. 1903
GOTTHEIL, GUSTAV, New York City 1903
GROSSMAN, IGNATZ, Chicago, Ill. 1897
GUTTMACHER, ADOLF, Baltimore, Md. 1915
HERZ, JOSEPH, Columbus, Miss. 1909
HESS, EMANUEL L., St. Paul, Minn. 1907
JACOBSON, JACOB S., Chicago, Ill. 1911
JOSEPH, ISRAEL, Montgomery, Ala. 1897
KAISER, ALOIS, Baltimore, Md. 1908
LAZARUS, ABRAHAM, Houston, Tex. 1900

LEUCHT, ISAAC L., New Orleans, La.....1914
LEVY, ABRAHAM R., Chicago, Ill.....1915
LOEWENSTEIN, AARON, Chicago, Ill.....1901
MACHOL, MICHAEL, Cleveland, Ohio.....1912
MANNHEIMER, SIGMUND, Cincinnati, O.....1909
MAYER, LIPPMAN, Pittsburgh, Pa.....1904
MESSING, HENRY J., St. Louis, Mo.....1913
MIELZINER, MOSES, Cincinnati, O.....1903
MOSES, ADOLPH, Louisville, Ky.....1902
NORDEN, AARON, Chicago, Ill.....1905
RADIN, ADOLPH M., New York City.....1909
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SOLOMON, M., Appleton, Wis.....1892
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